

U. S. Department of Justice

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FEDERAL BUREAU

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NATIONAL ARCHIVES
of

INVESTIGATION

157-
HQ-11449
Serials 1
Sec. 1



157-HQ-11449-1

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MAY 14 1971
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5/16/10

USE CARE IN HANDLING THIS FILE

ENTIRE FILE REVIEWED
HISTORICAL
INVESTIGATION

ALL INFORMATION CONTAINED
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DATE 12-27-03 BY 32137 (KAC) (P)
V/L

Transfer-Call 421

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI

DATE: 11/29/68

FROM : SAC, OMAHA (157-421) (P)

SUBJECT: DAVID LEWIS ANDREW RICE
RM - BPP

The subject has been identified as a member of the Black Panther Party (BPP) in the past. However, no recent information has been received indicating activities on his part in the BPP.

RICE is the subject of Bureau file 25-582852, Omaha file 25-9304, in that he failed to report for induction as instructed by his local Selective Service board on 11/20/67. On 11/6/68, an authorized complaint was filed before United States Commissioner, Omaha, charging RICE with violation of Title 50, Appendix, United States Code, Section 462, and a warrant was thereafter issued. Subject on 11/14/68 was arrested by Bureau Agents without incident and was released on \$1,000 recognizance bond. This matter is still pending in United States District Court, Omaha.

Investigation of RICE in this matter is continuing in an attempt to further ascertain his BPP activity. In addition, court action regarding RICE in connection with the 25- case is being followed in this matter. As soon as some action is taken in connection with the Selective Service matter whereupon subject's military status will be determined, a communication suitable for dissemination will be furnished the Bureau along with appropriate recommendations:

The following is a description of RICE:

Name:	DAVID LEWIS ANDREW RICE
Race:	Negro
Sex:	Male
Date of Birth:	5/21/47
Place of Birth:	Omaha, Nebraska

2 - Bureau (RM)
2 - Omaha
GDW:dsa
(4)

REC 11

25 DEC 2 1968

REC.D DOM INTELL DIA

ALL INFORMATION CONTAINED
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NW: 4502 DocId: 70000880

DATE 8-5-80

BY SP4 JRM-JAR

RACIAL INT. SECT.

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan



OM 157-421

REC 11 30 PM '51
Height:
Weight:
Hair:
Eyes:
Complexion:
Build:
Education:

5'8"
148 pounds
Black
Brown
Dark
Medium
Completed one year
Creighton University
Omaha

Occupation:

Advertising Manager
"Buffalo Chip" (underground
newspaper, Box 1122, Downtown
Station, Omaha, Nebraska

Marital Status:
Relatives:

Single
Father--~~OTIS~~/RICE
Omaha, Nebraska
Mother--~~VERA~~/RICE MRS. ~~OTIS~~/RICE
2906 Franklin Street
Omaha, Nebraska
Brothers--MICHAEL RICE, age 17
KIM RICE, age 13
residing with mother

MICHAEL/RICE

BORN APPROX.-1951

2906 FRANKLIN ST., OMAHA, NEBRASKA

KIM/RICE

BORN APPROX.-1955

2906 FRANKLIN ST., OMAHA, NEBRASKA

CONFIDENTIAL

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

Omaha, Nebraska

February 27, 1969

DAVID LEWIS ANDREW RICE

II. BACKGROUND

Birth

Records of another Government agency checked on October 18, 1968, disclosed that David Lewis Andrew Rice was born May 21, 1947, at Omaha, Nebraska.

Education

When interviewed November 1, 1968, by Special Agents of the Federal Bureau of Investigation in connection with another investigation, Rice advised that he completed one year of college at Creighton University, Omaha, Nebraska.

Employment

Records of the Omaha, Nebraska, Police Department checked August 15, 1968, disclosed that Rice as of July 7, 1968, was employed as a laborer by Playtime Equipment Company, 808 Howard Street, Omaha, Nebraska.

When interviewed on November 1, 1968, Rice advised that he was employed as Advertising Manager of the ~~"Buffalo Chip"~~, an Omaha underground newspaper. *NFB*

On January 21, 1969, Sergeant Aaron Dailey, Omaha, Nebraska, Police Department, advised that Rice continued as Advertising Manager of the "Buffalo Chip".

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DECLASSIFIED ON

8-5-80

NW: 15202 DocId: 70000880 Page 4

GROUP 1
Excluded from automatic
downgrading and
declassification

CONFIDENTIAL

157-11447-2

DAVID LEWIS ANDREW RICE

Residences

Records of the aforementioned Government agency indicated that Rice as of November, 1966, resided at 3001 Burdette Street, Omaha, Nebraska.

Records of the Omaha Police Department reflected Rice's address as of July 7, 1968, as 2904 Decatur Street, Omaha, Nebraska.

When interviewed on November 1, 1968, Rice was residing at 2904 Decatur Street, Omaha.

Records of the United States Marshal, Omaha, Nebraska, disclosed that Rice when fingerprinted at that agency on November 14, 1968, gave his residence address as 2353 South 35th Avenue, Omaha, Nebraska.

Sergeant Aaron Dailey, supra, advised on January 21, 1969, that Rice at that time was living at 2816 Parker Street, Omaha.

Military Service

Records of the above-mentioned Government agency disclosed that Rice had not served in the military service.

Credit

On October 25, 1968, Mrs. Veta Decker, Credit Bureau of Greater Omaha, Omaha, Nebraska, advised that her records indicated that one David Lewis Andrew Rice had been on file with this agency since June 19, 1968, at which time he resided at 2904 Decatur Street, Omaha. She advised there was a collection outstanding against Rice for \$19.15 with the Omaha Public Power District and this account was ninety days past due. She stated her records contained no further pertinent information regarding Rice.

Arrest Record

On August 15, 1968, Sergeant Delbert Bigley, Identification Bureau, Omaha, Nebraska, Police Department, made available

~~CONFIDENTIAL~~

DAVID LEWIS ANDREW RICE

the file of his agency regarding David Lewis Rice, Omaha Police Department number 68992. This file disclosed that Rice had been arrested July 7, 1968, on a charge of failure to disperse in connection with a disturbance at 24th and Lake Streets, Omaha, Nebraska, at 7:45 a.m., that date. Rice, after being instructed to leave the area, refused to do so and was also observed to have a can of chemical mace in his possession. According to this file, Rice on August 8, 1968, was fined \$25 and costs in connection with this charge.

The above file listed Rice's occupation as laborer with Playtime Equipment Company, Omaha, and his address as 2904 Decatur Street, Omaha.

Files of the Identification Division, Federal Bureau of Investigation, under Federal Bureau of Investigation number 603 160 G, as of December 23, 1968, disclosed the following record concerning David Lewis Andrew Rice:

<u>Contributor of Finger- prints</u>	<u>Name and Number</u>	<u>Arrested or Received</u>	<u>Charge</u>	<u>Dis- position</u>
Police De- partment, Omaha, Nebraska	David Lewis Rice #68992	July 7, 1968	Failure to Disperse	
United States Marshal, Omaha, Nebraska	David Lewis Andrew Rice #8270 08187	November 14, 1968	50 USC 462 Fail to Report for Induction	

In September, 1968, the Office of the United States Attorney, Omaha, Nebraska, requested investigation of Rice by the Federal Bureau of Investigation in that Rice had failed to report for an Armed Forces physical examination on July 17, 1967, and for induction into the Armed Forces on November 20, 1967.

Following completion of this investigation, Assistant United States Attorney Thomas F. Dowd, Omaha, Nebraska, on November 6, 1968, authorized the filing of a Federal complaint

~~CONFIDENTIAL~~

DAVID LEWIS ANDREW RICE

charging Rice with violation of Title 50, Appendix, United States Code, Section 462, in that on or about November 20, 1967, Rice did willfully and knowingly fail and neglect to perform a duty required of him and in the execution of the Universal Military Training and Selective Service Act and the Rules, Regulations and Directions duly made pursuant thereto, in that he did fail and neglect to comply with an order of his Local Board to report for and submit to induction into the Armed Forces of the United States.

On November 6, 1968, an authorized complaint was filed before United States Commissioner Richard C. Peck, Omaha, Nebraska, and a warrant was issued.

Rice was arrested by Federal Bureau of Investigation Agents on November 14, 1968, and following his appearance before the United States Commissioner, he was released on \$1,000 personal recognizance bond.

On December 5, 1968, the Office of the United States Attorney, Omaha, Nebraska, advised that Rice had been found not acceptable for induction into the Armed Forces following a physical examination afforded him on November 25, 1968, and for this reason, the Federal complaint against him was being dismissed.

II. AFFILIATION WITH BLACK PANTHER PARTY (BPP)

A source on August 16, 1968, identified David Lewis Rice as one of several individuals he had observed at recent meetings of the Black Panther Party, Omaha, Nebraska. On the basis of Rice's attendance at these meetings, source considered Rice a member of the Black Panther Party.

A characterization of the Black Panther Party appears in the appendix attached hereto.

On September 10, 1968, Sergeant James Perry, Omaha, Nebraska, Police Department, advised that David Rice was observed at the Nebraska Peace and Freedom Party convention held August 24, 1968, at Fontenelle Park, Omaha, Nebraska. Eldridge Cleaver, Minister of Information, National Black Panther Party, was one of the featured speakers at this convention.

~~CONFIDENTIAL~~

DAVID LEWIS ANDREW RICE

The source previously mentioned on October 30, 1968, advised David Rice attended a meeting of the Black Panther Party held October 29, 1968, at Black Panther Party Headquarters, 3120 North 24th Street, Omaha.

This source when contacted on February 3, 1969, advised that to his knowledge David Rice has ~~had no~~ recent contact with the Black Panther Party Chapter in Omaha.

During the interview of Rice on November 1, 1968, by Special Agents of the Federal Bureau of Investigation, Rice was asked if he was a member of the Black Panther Party or had ever been a member of this organization. He replied "some of my best friends are members"; however, declined to discuss this matter further.

III. MISCELLANEOUS

The following article appeared in the summer, 1968, edition of the "Buffalo Chip", an underground newspaper:

"POSSIBLY

A

FATAL FARCE

by david l. rice

"I seriously wonder about the mental state of the poor who trek back to their homes from Resurrection City. Are these people going to be satisfied with the nothing they bring home? Poverty sent these people to Washington. Poverty was their company while they remained there. Poverty accompanies them as they return to their deteriorated dwellings.

"Martin Luther King, Jr. promised these people a taste of justice. I am afraid that those white people who still think poverty and racism can be covered over with the dust of time have come to the end of a fine dream.

"America's treacherous government stabs the poor of America with a knife blade; the affluent club the poor with the same knife's handle.

~~CONFIDENTIAL~~

DAVID LEWIS ANDREW RICE

"And yet, U.S. politicians tell the populace that internal peace is soon to take hold. The people expect this to be so.

"The poor (and so not really a part of the whole?) all realize there is a storm coming. Possibly every window will be broken and every vessel of life shattered in this country before an end comes to the misery endured by countless people."

IV. DESCRIPTION

The following description of Rice was obtained through interview and observation of him on November 1, 1968:

Name	David Lewis Andrew Rice
Race	Negro
Sex	Male
Date of Birth	May 21, 1947
Place of Birth	Omaha, Nebraska
Height	5'8"
Weight	148
Hair	Black
Eyes	Brown
Complexion	Dark
Build	Medium
Marital Status	Single
Scars and Marks	Cut scar on right arm below elbow; burn scar on right wrist; scars on both knees; birthmark on right thigh

Relatives

Father

M. Rice
~~Otis Rice~~

~~27th and Maple Streets~~
~~Omaha, Nebraska~~

Mother

~~Vera Rice~~

~~2906 Franklin Street~~
~~Omaha, Nebraska~~

Brothers

~~Michael Rice, Age 17~~

~~Kim Rice, Age 13~~

~~Residing with mother~~

U. APPROX 1952

B. APPROX 1956

Social Security
Number

508 62 5667

~~CONFIDENTIAL~~

DAVID LEWIS ANDREW RICE

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

~~CONFIDENTIAL~~

APPENDIX

BLACK PANTHER PARTY

According to its official newspaper, the Black Panther Party (BPP) was started during December, 1966, in Oakland, California, to organize black people so they can take control of the life, politics, and the destiny of the black community. It was organized by Bobby George Seale, BPP Chairman, and Huey P. Newton, BPP Minister of Defense. Newton is presently serving a sentence of two to fifteen years on a conviction of manslaughter in connection with the killing of an Oakland police officer.

The official newspaper, "The Black Panther," which further describes itself as the "Black Community News Service," states that the BPP advocates the use of guns and guerrilla tactics in its revolutionary program to end oppression of the black people. Residents of the black community are urged to arm themselves against the police who are consistently referred to in the publication as "pigs" who should be killed.

"The Black Panther" issue of September 7, 1968, contains an editorial by BPP Minister of Education, George Mason Murray, which ends with the following:

"Black men. Black people, colored persons of America, revolt everywhere! Arm yourselves. The only culture worth keeping is a revolutionary culture. Change. Freedom everywhere. Dynamite! Black Power. Use the gun. Kill the pigs everywhere."

Included in the introduction to an article appearing in the October 5, 1968, edition of "The Black Panther" is the statement, "...we will not dissent from American Government. We will overthrow it."

Issues of "The Black Panther" regularly contain quotations from the writings of Chairman MAO Tse-tung of the People's Republic of China and feature MAO's statement that "political power grows out of the barrel of a gun".

The national headquarters of the BPP is located at 3106 Shattuck Avenue, Berkeley, California. Branches have been established at various locations throughout the United States.

APPENDIX

~~CONFIDENTIAL~~



In Reply, Please Refer to
File No.

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Omaha, Nebraska
February 27, 1969

Title

DAVID LEWIS ANDREW RICE

Character

RACIAL MATTER - BLACK PANTHER PARTY

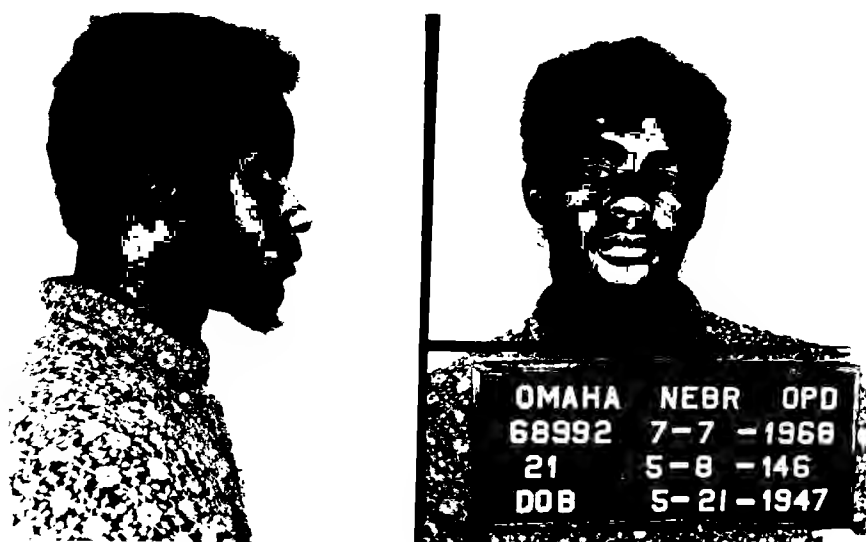
Reference

**Omaha memorandum dated February 27,
1969**

All sources (except any listed below) whose identities are concealed in referenced communication have furnished reliable information in the past.

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

157-11449-2



DAVID LEWIS RICE

~~CONFIDENTIAL~~

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

WASHINGTON, D.C. 20535

In Reply, Please Refer to
File No.

February 27, 1969

Director
United States Secret Service
Department of the Treasury
Washington, D. C. 20220

Dear Sir:

The information furnished herewith concerns an individual who is believed to be covered by the agreement between the FBI and Secret Service concerning Presidential protection, and to fall within the category or categories checked.

1. ☐ Has attempted or threatened bodily harm to any government official or employee, including foreign government officials residing in or planning an imminent visit to the U. S., because of his official status.
2. ☐ Has attempted or threatened to redress a grievance against any public official by other than legal means.
3. ☒ Because of background is potentially dangerous; or has been identified as member or participant in communist movement; or has been under active investigation as member of other group or organization inimical to U. S.
4. ☐ U. S. citizens or residents who defect from the U. S. to countries in the Soviet or Chinese Communist blocs and return.
5. ☒ Subversives, ultrarightists, racists and fascists who meet one or more of the following criteria:
 - (a) ☐ Evidence of emotional instability (including unstable residence and employment record) or irrational or suicidal behavior;
 - (b) ☒ Expressions of strong or violent anti-U. S. sentiment;
 - (c) ☐ Prior acts (including arrests or convictions) or conduct or statements indicating a propensity for violence and antipathy toward good order and government.
6. ☐ Individuals involved in illegal bombing or illegal bomb-making.

Photograph ☐ has been furnished ☒ enclosed ☐ is not available
☐ may be available through _____

Very truly yours,

DECLASSIFIED BY

3832

ON

1/12/78

John Edgar Hoover
Director

APPROPRIATE AGENCIES
AND FIELD OFFICES
ADVISED BY ROUTING
SLIP(S) OF Declass
DATE 1-26-78 RP/jk

1 - Special Agent in Charge (Enclosure(s) 2) (RM)

NW: 15202 DocId: 70000880 Page 16 Omaha, Nebraska

Enclosure(s) 2 (RM)

(Upon removal of classified enclosure(s), if any, this transmittal form
becomes UNCLASSIFIED.)

UNITED STATES GOVERNMENT

Memorandum

REC-47

~~CONFIDENTIAL~~
~~CONFIDENTIAL~~

TO : DIRECTOR, FBI (157-11449)

DATE: 2/27/69

FROM : SAC, OMAHA (157-421) (C)

SUBJECT: DAVID LEWIS ANDREW RICE
RACIAL MATTER - BLACK PANTHER PARTY (BPP)

CLASS. & EXT. BY 75HJGCH/CH 12-1-80
REASON-FCIM II, 1-2.4.2
DATE OF REVIEW 2-3-80

APPROVED BY [Signature]
ADVISED BY ROUTING
SLIP (S) BY BLS/97
DATE 3/2/81

RE: Omaha letter to Bureau 11/29/68

Enclosed for the Bureau are eight copies of a letterhead memorandum and two copies of an FD-376 in captioned matter. Also enclosed to the Bureau are two copies of a photograph of subject.

DECLASSIFIED BY 308BTS/dd
ON 6/28/82 #200367

Copies of enclosed letterhead memorandum and photograph of subject are being furnished Secret Service and the United States Attorney, Omaha, Nebraska.

The Government agency mentioned in enclosure is Selective Service Board #29, Omaha, Nebraska.

FOIA(b)(7) - (D)

The source utilized was [redacted]

RICE is the subject of Bureau file 25-582852, Omaha file 25-9304, which case was closed in December, 1968.

Enclosed letterhead memorandum is being classified confidential in order to protect the identity of the source utilized therein.

At the present time it does not appear that RICE meets the criteria for inclusion on the Agitator Index and because of his connection with an underground newspaper, it is not deemed advisable that subject be interviewed at this time. In the event information is received at a future date that he is no longer connected with the "Buffalo Chip", consideration will be given to requesting authority to interview him regarding his affiliation with the Black Panther Party.

In view of the foregoing, this matter is being placed in a closed status.

- 2 - Bureau (Enc. 12) (RM)
- 1 - Omaha
- GDW:PJC
- (3)

ENCLOSURE ATTACHED
ENCLOSURE

REC-20 57-11449-2

REC-47 MAR 8 1969

CONFIDENTIAL

NW 1 MAR 20 1969

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

UNITED STATES GOVERNMENT

Memorandum

TO : Director, FBI (Bufile-157-11449)

DATE: 11/19/69

FROM : SAC, OMAHA (157-421)

SUBJECT: DAVID LEWIS ANDREW RICE, aka
RM - BPP

AGITATOR INDEX

☒ New Subject ☐ Change ☐ Delete

Name DAVID LEWIS ANDREW RICE		FBI Number 603 160 G																								
Aliases																										
Citizenship <input checked="" type="checkbox"/> Native Born <input type="checkbox"/> Naturalized <input type="checkbox"/> Alien																										
Subject also on <input type="checkbox"/> SI <input type="checkbox"/> RI		Race Negro																								
Sex <input checked="" type="checkbox"/> Male <input type="checkbox"/> Female																										
Organizational Affiliation <table border="0"><tr><td><input type="checkbox"/> 01 ANP</td><td><input type="checkbox"/> 07 KLAN</td><td><input type="checkbox"/> 12 PLP</td><td><input type="checkbox"/> 17 SNCC</td></tr><tr><td><input type="checkbox"/> 02 AVN</td><td><input type="checkbox"/> 08 LA</td><td><input type="checkbox"/> 13 PRN</td><td><input type="checkbox"/> 18 SWP</td></tr><tr><td><input type="checkbox"/> 03 BNAT</td><td><input type="checkbox"/> 09 MIN</td><td><input type="checkbox"/> 14 RAM</td><td><input type="checkbox"/> 19 WWP</td></tr><tr><td><input checked="" type="checkbox"/> 04 BPP</td><td><input type="checkbox"/> 10 NOI</td><td><input type="checkbox"/> 15 SCLC</td><td><input type="checkbox"/> 99 MISC</td></tr><tr><td><input type="checkbox"/> 05 COM</td><td><input type="checkbox"/> 11 NSRP</td><td><input type="checkbox"/> 16 SDS</td><td>(Specify)</td></tr><tr><td><input type="checkbox"/> 06 CORE</td><td></td><td></td><td></td></tr></table>			<input type="checkbox"/> 01 ANP	<input type="checkbox"/> 07 KLAN	<input type="checkbox"/> 12 PLP	<input type="checkbox"/> 17 SNCC	<input type="checkbox"/> 02 AVN	<input type="checkbox"/> 08 LA	<input type="checkbox"/> 13 PRN	<input type="checkbox"/> 18 SWP	<input type="checkbox"/> 03 BNAT	<input type="checkbox"/> 09 MIN	<input type="checkbox"/> 14 RAM	<input type="checkbox"/> 19 WWP	<input checked="" type="checkbox"/> 04 BPP	<input type="checkbox"/> 10 NOI	<input type="checkbox"/> 15 SCLC	<input type="checkbox"/> 99 MISC	<input type="checkbox"/> 05 COM	<input type="checkbox"/> 11 NSRP	<input type="checkbox"/> 16 SDS	(Specify)	<input type="checkbox"/> 06 CORE			
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<input type="checkbox"/> 06 CORE																										
Date of Birth 5/21/47	Place of Birth Omaha, Nebraska																									
Position in Organization Deputy Minister of Information, UFAF	Occupation, Business Address (Show Name of Employing Concern) Neighborhood worker Greater Omaha Community Action (GOCA) 2936 North 24th Street Omaha, Nebraska																									
Residence Address 2816 Parker Street, Omaha, Nebraska																										

REGISTERED MAIL

② - Bureau
2 - Omaha
GDW:lr1

NW: 15202 DocId: 76000889

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8-5-80 BY SP4 JRM-JAR

REC-73

NOV 21 1969

RACIAL INT. SECT.

STATE SECT.

*not recommended
for 177
11/25/69
No card at
this time -
see for*

*let to Omaha
16 B. 151
12-1-69*

OM 157-421

SUCCINCT RESUME OF SUBJECT'S ACTIVITIES

RICE, in August of 1968, reported in attendance at BPP meetings in Omaha and attended Nebraska Peace and Freedom Party convention in Omaha, August 24, 1968. RICE in July of 1969, attended UFAF conference in Oakland, California. RICE is currently Deputy Minister of Information for UFAF, Omaha, Nebraska.

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

UNITED STATES DEPARTMENT OF JUSTICE
Federal Bureau of Investigation

Omaha, Nebraska
November 19, 1969

David Lewis Andrew Rice

BACKGROUND

Employment

A source, who has furnished reliable information in the past, advised on November 6, 1968, that David Rice is currently employed by Greater Omaha Community Action (GOCA) as a neighborhood worker and has been so employed since April 18, 1969, working out of the GOCA office at 2936 North 24th Street, Omaha, Nebraska.

Residence

Sergeant James Perry, Intelligence Unit, Omaha, Nebraska, Police Department, advised on October 28, 1969, that David Rice continues to reside at 2816 Parker Street, Omaha, Nebraska.

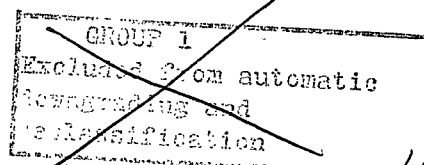
AFFILIATION WITH
UNITED FRONT AGAINST FASCISM (UFAF)

The Omaha World Herald, a daily Omaha newspaper, in its August 11, 1969, edition, carried an article captioned, "Militants Seek Police Control". According to this article, David Rice, age 22, leader of the newly formed United Front Against Fascism stated that the initial goal of this organization was community control of the Omaha Police Department. In this article Rice stated the group's main objective was "to de-centralize all police forces and place them under community control".

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DECLASSIFIED BY SP3 BTJ/dd
ON 6/28/82 #200367

~~CONFIDENTIAL~~



ENCLOSURE

157-11449-4

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE.

8-9-80
CLASS. & EXT. BY SP4 B/Rm. JAR
ON FCIM II, 1-2.4.2-2
DATE OF REVIEW 11/19/85
Class as changed

~~CONFIDENTIAL~~

David Lewis Andrew Rice

~~CONFIDENTIAL~~

According to the aforementioned article, Rice advised that armed members of the Black Panthers seen on rooftops during the June disturbances on the Near North Side were not protecting Negro-owned businesses but were "protecting black people from the police." This article quoted Rice as saying that the United Front Against Fascism was formed to replace the disbanded Omaha chapter of the Black Panther Party (BPP) and will work in coalition with the Panther chapter in Kansas City.

A characterization of the Black Panther Party appears in the Appendix attached hereto.

[A second source,] who has furnished reliable information in the past, advised on [October 9, 1969,] that David Rice attended the United Front Against Fascism conference, sponsored by the BPP, in Oakland, California, during July of 1969.

[A third source,] who has furnished reliable information in the past, made available on [September 12, 1969,] a copy of the Community News Bulletin released by the United Front Against Fascism. This bulletin announced that the UFAF would soon be conducting a Liberation School for children at 2616 Parker Street, Omaha. It was announced that further information could be obtained at UFAF Headquarters, telephone number 346-1278, and donations could be sent to 2816 Parker Street, Omaha.

Records of the Northwestern Bell Telephone Company, Omaha, Nebraska, checked on August 19, 1969, disclosed telephone number 346-1278 to be listed to Andrew Rice, 2816 Parker Street, Omaha.

On October 29, 1969, Patrolman Arnold Dailey, Omaha, Nebraska, Police Department, made available a UFAF newsletter "Freedom By Any Means Necessary" dated October 24, 1969. This newsletter, on page 1, stated "that the United Front Against Fascism is the name of an organization of revolutionary black people which was formed after the disbanding of the Omaha chapter of the Black Panther Party by the National Office of the Black Panthers."

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~~CONFIDENTIAL~~

David Lewis Andrew Rice

~~CONFIDENTIAL~~

The above mentioned newsletter further stated - "the members of the U.F.A.F. are working under the jurisdiction of the Kansas City chapter of the Black Panther Party. This Omaha-based organization is moving and will continue to move in a manner that is in line with Black Panther ideology and in a direction that can only be in line with the needs of the people of this black colony." This newsletter identified David L. Rice as Deputy Minister of Information of the UFAF.

[The first source, on November 13, 1969,] made available a copy of the UFAF newsletter "Freedom By Any Means Necessary" dated November 11, 1969. This newsletter on pages 2 and 3 contains the following article captioned "The Governor/Easy Lessons on Black Colonial Living." Said article is attributed to David L. Rice, Deputy Minister of Information as author:

"THE GOVERNOR/EASY LESSONS ON BLACK COLONIAL LIVING"

"Last week the governor of Nebraska held a Town Hall meeting at Horace Mann Junior High. Supposedly, the meeting's purpose was to give the people a chance to find out what goes on in state government and to get answers to questions that were on their minds. But what actually happened?

"First of all, the written questions from the audience were scrutinized and put through a filtering process by Al Grice and his boys.

Secondly, both the mayor and his various department heads-especially Crime Commissioner Pig Weaver, who was not only bald, but also very ignorant and chock full of stupidity.

"The whole affair was a clearwater picture of how the people's taxes pay the salaries of the 'public servants' and how the people are rebuffed by these public servants. It made very plain the mockery of any such statement as 'government of, for, and by the people,' as the people do not control either the public officials or their official acts that affect us. The pigs harass and murder our Brothers and Sisters. And we do not have an ounce of say

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~~CONFIDENTIAL~~

David Lewis Andrew Rice

"about their activities. Though the government pays farmers a subsidy to leave acres upon acres unplowed, families go hungry and suffer from malnutrition. And we have not even the power to determine what will be done with the tiniest seed of yellow to brown rye. The schools teach our children lies. And we are impotent to bring about the instruction of truth.

~~CONFIDENTIAL~~

"A colony is land inhabited by a people who have no control over their own affairs but are contained and held in check by some outside power. And we are colonists, who support, with our taxes, the outside powers that hand out piddling crumbs to us upon which to munch and send in the occupation troops (Omaha Pig Dept.) into our territory when we appear 'ungrateful.'

"It is necessary that we immediately put a halt to this inhumane nonsense and take the power that should be ours and will be."

"The spirit of the people is
STRONGER than man's technology!?"

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

APPENDIX

BLACK PANTHER PARTY,
Also Known As
Black Panther Party for Self-Defense

~~CONFIDENTIAL~~

According to its official newspaper, the Black Panther Party (BPP) was started during December, 1966, in Oakland, California, to organize black people so they can take control of the life, politics and the destiny of the black community. It was organized by Bobby Seale, BPP Chairman, and Huey P. Newton, BPP Minister of Defense. Newton was sentenced in 1968 to serve 2 to 15 years after being convicted of manslaughter in connection with the killing of an Oakland police officer.

The official newspaper, "The Black Panther," which further describes itself as the "Black Community News Service," states that the BPP advocates the use of guns and guerrilla tactics in its revolutionary program to end oppression of the black people. Residents of the black community are urged to arm themselves against the police who are consistently referred to in the publication as "pigs" who should be killed.

"The Black Panther" issue of September 7, 1968, contains an editorial by BPP Minister of Education, George Mason Murray, which ends with the following:

"Black men. Black people, colored persons of America, revolt everywhere! Arm yourselves. The only culture worth keeping is a revolutionary culture. Change. Freedom everywhere. Dynamite! Black Power. Use the gun. Kill the pigs everywhere."

Included in the introduction to an article appearing in the October 5, 1968, edition of "The Black Panther" is the statement "...we will not dissent from American Government. We will overthrow it."

Issues of "The Black Panther" regularly contain quotations from the writings of Chairman Mao Tse-tung of The People's Republic of China and feature Mao's statement that "political power grows out of the barrel of a gun."

The national headquarters of the BPP is located at 3106 Shattuck Avenue, Berkeley, California. Branches have been established at various locations throughout the United States.

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

WASHINGTON, D.C. 20535

In Reply, Please Refer to
File No.

Director
United States Secret Service
Department of the Treasury
Washington, D. C. 20220

November 19, 1969

~~CONFIDENTIAL~~

Dear Sir:

The information furnished herewith concerns an individual who is believed to be covered by the agreement between the FBI and Secret Service concerning Presidential protection, and to fall within the category or categories checked.

1. ☐ Has attempted or threatened bodily harm to any government official or employee, including foreign government officials residing in or planning an imminent visit to the U. S., because of his official status.
2. ☐ Has attempted or threatened to redress a grievance against any public official by other than legal means.
3. ☒ Because of background is potentially dangerous; or has been identified as member or participant in communist movement; or has been under active investigation as member of other group or organization inimical to U. S.
4. ☐ U. S. citizens or residents who defect from the U. S. to countries in the Soviet or Chinese Communist blocs and return.
5. ☒ Subversives, ultrarightists, racists and fascists who meet one or more of the following criteria:
 - (a) ☐ Evidence of emotional instability (including unstable residence and employment record) or irrational or suicidal behavior;
 - (b) ☒ Expressions of strong or violent anti-U. S. sentiment;
 - (c) ☐ Prior acts (including arrests or convictions) or conduct or statements indicating a propensity for violence and antipathy toward good order and government.
6. ☐ Individuals involved in illegal bombing or illegal bomb-making.

Photograph ☒ has been furnished ☐ enclosed ☐ is not available
☐ may be available through _____

Very truly yours,

J. Edgar Hoover
John Edgar Hoover
Director

APPROPRIATE AGENCIES
AND FIELD OFFICES
ADVISED BY ROUTING
SLIP(S) OF *Declar*
DATE *1-26-78 RPP*

1 - Special Agent in Charge (Enclosure(s) (RM)
U. S. Secret Service Omaha, Nebraska

~~CONFIDENTIAL~~

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI (157-11449)

DATE: 11/19/69

FROM : SAC, OMAHA (157-421) (P)

~~CONFIDENTIAL~~

SUBJECT: DAVID LEWIS ANDREW RICE
RM - BPP

FOIA(b)(7) - (D)

Re Omaha letter to Bureau dated 2/27/69.

Enclosed for the Bureau are 8 copies of LHM and 2 copies of FD 376 bearing above caption.

Copies of enclosed LHM are being furnished to Secret Service, Omaha, and the United States Attorney, Omaha, Nebraska.

Sources utilized in enclosure are as follows:

First source: [redacted]

[redacted], Omaha.

Second source: [redacted]

Third source: [redacted]

Enclosed LHM is being classified Confidential in order to protect the identities of the sources utilized therein.

By separate communication, RICE is being recommended for inclusion on the Agitator Index. No recommendation is being made at the present time for his inclusion on the Security Index, inasmuch as it is not felt that he presently meets the criteria for inclusion thereon.

- 2 - Bureau (Enc. 10) (Registered Mail)
- 2 - Omaha (Enc. 10) (Registered Mail)
- GDW:lr1
- (4) NOV 52 10 02 AM 1969

AGENCY: ACSI, SEC. SERV.,
DEPT: ISD, IDIU

HOW FORW: R/S

DATE FORW: 11/26/69

BY: LEB/ [signature]

SI 114

RACIAL INT. SEC.

~~CONFIDENTIAL~~

NW 202 DocId: 70000880 Page 26

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

OM 157-421)

~~CONFIDENTIAL~~

Consideration at the present time is not being given to a re-interview of subject, inasmuch as a prior interview with him on November 1, 1968, proved unproductive.

LEAD

OMAHA

AT OMAHA, NEBRASKA

Will await Bureau authority to include subject on the Agitator Index and will thereafter close case administratively.

~~CONFIDENTIAL~~

1 - Mr. L. G. Brockman

SAC, Omaha (157-421)

12/11/69

Director, FBI (157-11449) - 4

DAVID LEWIS ANDREW RICE
RM - BPP

Reurlet, LHM and FD-397 11/19/69.

No action is being taken upon your recommendation for subject's inclusion on the Agitator Index.

No information was furnished that the subject by his actions and/or speeches has a propensity for fomenting disorder of a racial, and/or security nature; nor was any information furnished indicating he has attracted such attention as to be of significant interest relating to the overall civil disturbance picture.

However, you have advised the subject is currently a member and the Deputy Minister of Information of the United Front Against Fascism, a revolutionary organization which was formed after the Black Panther Party was disbanded in Omaha.

In view of this, it appears the subject should be considered for inclusion on the Security Index and you should promptly submit your recommendation. You are reminded that a current report must be in possession of the Bureau when a subject is recommended for the Security Index and if it is an initial one, it must be a summary report.

Should you possess additional data or develop information wherein it appears the subject should also be recommended for inclusion on the Agitator Index, promptly submit pertinent information in form suitable for dissemination along with your recommendation for his inclusion on the Agitator Index.

LGB:ekn
(4)

SEE NOTE PAGE TWO

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8-5-80 BY SP4 YRM-LAN

Tolson _____
DeLoach _____
Walters _____
Mohr _____
Bishop _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Soyars _____
Tele. Room _____
Holmes _____
Gandy _____

DEC 30 1969

NW: 15202 DocId: 70900880 Page 28

Letter to SAC, Omaha
RE: DAVID LEWIS ANDREW RICE
157-11449

NOTE:

Subject, a Negro male, born 5/21/47, was active during the summer of 1969 in the Omaha Chapter of the Black Panther Party. The Black Panther Party in Omaha currently goes under the name of the United Front Against Fascism and the subject is a member and the Deputy Minister of Information of this group. It is believed a prompt recommendation should be submitted concerning his inclusion on the Security Index.

FEDERAL BUREAU OF INVESTIGATION

Reporting Office OMAHA	Office of Origin OMAHA	Date 2/25/70	Investigative Period 8/16/68-2/10/70
Title of Case DAVID LEWIS ANDREW RICE		Report made by SA GEORGE D. WATT	Typed By: lr1
		Character of Case RM - BPP	

SUMMARY

REFERENCE

Omaha letters to Bureau 2/27/69 and 11/19/69 both of which enclosed LHM.
Bureau letter to Omaha, 12/11/69. 4

ENCLOSURES:

- P* -

TO THE BUREAU

Enclosed for the Bureau are two copies of FD 376

LEADS

OMAHA

AT OMAHA, NEBRASKA

Will await Bureau authority to place subject on Security Index and thereafter close this case administratively.

DECLASSIFIED BY SP6 BTJ/dd
ON 6/28/82 #200367

CLASS. EXT. By SP4 JRM-JML
REASON 2.2
DATE OF REVIEW 2-25-92
Class as released

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
EXCEPT WHERE SHOWN OTHERWISE

Approved <i>PCY/jk</i>	Special Agent in Charge	Do not write in spaces below	
Copies made: 3 - Bureau (157-11449) (Enc. 2) (RM) 1 - USA, Omaha 1 - Secret Service, Omaha 2 - Omaha (157-421)	157-11449-5		REC-62
	9 MAR 2 1970		

Notations:

AGENCY: ACSL, ~~SEC. SER.~~, SEC. SERV.,
DEPT: ISD, ~~SEC. SER.~~, IDIU, CD

HOW FORM:

DATE FORM: 2/10/70

BY: SP6 BTJ/dd

RACIAL INT. SECT.

CONFIDENTIAL

NW: 15202 DocId: 70000880 Page 30

APPROPRIATE AGENCIES AND FIELD
OFFICES ADVISED BY ROUTING SLIP
ON 8/18/86 gln

FOIA(b)(7) - (D)

~~CONFIDENTIAL~~

OM 157-421

INFORMANTS

Source

Location

OM T-1 is [redacted]

OM T-2, [redacted]

157-421-25
instant report

Omaha (by request)

OM T-3, [redacted]

OM T-4, [redacted]

157-421

OM T-5, [redacted]

OM T-6, [redacted]

ADMINISTRATIVE

This report is ~~confidential~~ in order to protect the identity of [OM T-1 and OM T-3 through OM T-5,] who are sources of continuing value to the Bureau.

Dissemination of this report to Secret Service, Omaha, is being held in abeyance pending Bureau authority to place subject on the Security Index.

B
COVER PAGE

W. X. HALL

OM 157-421

~~CONFIDENTIAL~~

FD 122 recommending subject for inclusion on the Security Index is being submitted under the same date as this report.

Two photographs of the subject were furnished the Bureau by Omaha letter dated 2/27/69.

Inasmuch as no information has been received that the subject, by his actions and/or speeches, has a propensity for fomenting dissent of a racial nature the subject at the present time is not being recommended for inclusion on the Agitator Index. In addition, no information has been received that subject has attracted such attention as to be of significant interest relating to the overall civil disturbance picture.

C*
COVER PAGE

~~CONFIDENTIAL~~

**CONFIDENTIAL**

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

WASHINGTON, D.C. 20535

In Reply, Please Refer to
File No.

Director
United States Secret Service
Department of the Treasury
Washington, D. C. 20220

2/25/70

CONFIDENTIAL

Dear Sir:

The information furnished herewith concerns an individual who is believed to be covered by the agreement between the FBI and Secret Service concerning Presidential protection, and to fall within the category or categories checked.

1. ☐ Has attempted or threatened bodily harm to any government official or employee, including foreign government officials residing in or planning an imminent visit to the U. S., because of his official status.
2. ☐ Has attempted or threatened to redress a grievance against any public official by other than legal means.
3. ☒ Because of background is potentially dangerous; or has been identified as member or participant in communist movement; or has been under active investigation as member of other group or organization inimical to U. S.
4. ☐ U. S. citizens or residents who defect from the U. S. to countries in the Soviet or Chinese Communist blocs and return.
5. ☒ Subversives, ultrarightists, racists and fascists who meet one or more of the following criteria:
 - (a) ☐ Evidence of emotional instability (including unstable residence and employment record) or irrational or suicidal behavior;
 - (b) ☒ Expressions of strong or violent anti-U. S. sentiment;
 - (c) ☐ Prior acts (including arrests or convictions) or conduct or statements indicating a propensity for violence and antipathy toward good order and government.
6. ☐ Individuals involved in illegal bombing or illegal bomb-making.

Photograph ☒ has been furnished ☐ enclosed ☐ is not available
☐ may be available through _____

DECLASSIFIED BY

3832

ON

1/12/78

Very truly yours,

J. Edgar Hoover
John Edgar Hoover
Director

1 - Special Agent in Charge (Enclosure(s))

NW: 15202 DocId: 70000880 Page 33 Omaha

CONFIDENTIAL

APPROPRIATE AGENCIES
AND FIELD OFFICES
ADVISED BY ROUTING
SLIP(S) OF *Declass*
DATE *1-26-78 BPT/jc*

CONFIDENTIAL

Enclosure(s)

(Upon removal of classified enclosures, if any, this transmittal form
becomes UNCLASSIFIED.)

**UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION**

~~CONFIDENTIAL~~

1 - Secret Service, Omaha, Nebraska
Copy to: 1 - United States Attorney, Omaha, Nebraska

Report of: SA GEORGE D. WATT
Date: February 25, 1970

Office: Omaha

Field Office File #: 157-421

Bureau File #: 157-11449

Title: DAVID LEWIS ANDREW RICE

DECLASSIFIED BY SP8 BTJ/ld
ON 6/28/82 #200317

Character: RACIAL MATTERS - BLACK PANTHER PARTY

Synopsis: RICE, born May 21, 1947, at Omaha, Nebraska, claims he attended one year of college at Creighton University, Omaha. RICE currently resides at 2816 Parker Street, Omaha, and is employed by Greater Omaha Community Action (GOCA), Omaha. RICE was arrested July 7, 1968 by Omaha Police Department for failure to disperse and was arrested by FBI Agents November 14, 1968, on federal warrant based on federal complaint charging violation of T. 50, Appendix, Section 462, USC. RICE, on November 25, 1968, was found notacceptable for induction into the Armed Forces following physical examination, and federal complaint against him thereafter was dismissed. RICE observed at BPP meeting, Omaha, Nebraska, summer of 1968 and BPP meeting on 10/29/68. August 1969 newspaper article identified DAVID RICE as leader of newly formed United Front Against Fascism (UFAF), an organization formed to replace the disbanded BPP. RICE attended UFAF conference sponsored by BPP in Oakland, California, July, 1969. RICE, in December of 1969, refused to testify before Federal Grand Jury, Omaha in connection with "liberation school". Between November 1969, and February 1970, RICE was identified as Deputy Minister of Information for UFAF, and during this period wrote articles for the UFAF newsletter and took part in functions of this organization.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT - p* -
WHERE SHOWN OTHERWISE.

DETAILS

8-6-80
CLASS & EXT BY SP4 SRM-JAC/MLL
REASON-FCIM II, 1-2.4.2
DATE OF REVIEW 2-25-90
Class to released

~~CONFIDENTIAL~~

GROUP 1
Excluded from automatic
downgrading and
declassification

NW: 15202

APPROPRIATE AGENCIES AND FIELD
OFFICES ADVISED BY ROUTING SLIP
ON 8/18/80 JGK

70000880

BACKGROUND

CONFIDENTIAL

Birth

[Records of OM T-6,] checked on October 18, 1968, disclosed that DAVID LEWIS ANDREW RICE was born May 21, 1947, at Omaha, Nebraska.

Education

When interviewed November 1, 1968, by Special Agents of the FBI in connection with another investigation, RICE advised that he completed one year of college at Creighton University, Omaha, Nebraska.

Employment

Records of the Omaha, Nebraska, Police Department, checked August 15, 1968, disclosed that RICE as of July 7, 1968, was employed as a laborer by Playtime Equipment Company, 808 Howard Street, Omaha, Nebraska.

When interviewed on November 1, 1968, RICE advised that he was employed as Advertising Manager of the "Buffalo Chip", an Omaha underground newspaper.

On January 21, 1969, Sergeant AARON DAILEY, Omaha, Nebraska, Police Department, advised that RICE continued as Advertising Manager of the "Buffalo Chip".

[OM T-2 advised on November 6, 1969,] that DAVID RICE is currently employed by Greater Omaha Community Action (GOCA) as a neighborhood worker and has been so employed since April 18, 1969, working out of the GOCA office at 2936 North 24th Street, Omaha.

[OM T-2 advised on February 2, 1970,] that RICE continues to be employed by GOCA at 2936 North 24th Street, Omaha, Nebraska.

CONFIDENTIAL

Residences

[Records of OM T-6] ^{ka} indicated that RICE as of November, 1966, resided at 3001 Burdette Street, Omaha, Nebraska.

Records of the Omaha Police Department reflected RICE's address as of July 7, 1968, as 2904 Decatur Street, Omaha, Nebraska.

When interviewed on November 1, 1968, RICE was residing at 2904 Decatur Street, Omaha.

Records of the United States Marshal, Omaha, disclosed that RICE, when fingerprinted at that agency on November 14, 1968, gave his residence address as 2353 South 35th Avenue, Omaha, Nebraska.

Sergeant AARON DAILEY, supra, advised on January 21, 1969, that RICE at that time was living at 2816 Parker Street, Omaha.

Sergeant JAMES PERRY, Intelligence Unit, Omaha, Nebraska, Police Department, advised on October 28, 1969, that DAVID RICE continues to reside at 2816 Parker Street, Omaha.

Sergeant PERRY advised on February 10, 1970, that RICE continues to reside at 2816 Parker Street, Omaha.

Military Service

[Records of OM T-6] ^{ka} disclosed that RICE had not served in the military service.

Credit

On October 25, 1968, Mrs. VETA DECKER, Credit Bureau of Greater Omaha, advised that her records indicated that one DAVID LEWIS ANDREW RICE had been on

~~CONFIDENTIAL~~

file with this agency since June 19, 1968, at which time he resided at 2904 Decatur Street, Omaha. She advised there was a collection outstanding against RICE for \$19.15, with the Omaha Public Power District and this account was 90 days past due. She stated her records contained no further pertinent information regarding RICE.

Arrest Record

On August 15, 1968, Sergeant DELBERT BIGLEY, Identification Bureau, Omaha, Nebraska, Police Department, made available the file of his agency regarding DAVID LEWIS RICE, Omaha Police Department number 68992. This file disclosed that RICE had been arrested July 7, 1968, on a charge of failure to disperse in connection with a disturbance at 24th and Lake Streets, Omaha, at 7:45 a.m., that date. RICE, after being instructed to leave the area, refused to do so and was also observed to have a can of chemical Mace in his possession. According to this file, RICE on August 8, 1968, was fined \$25.00 and costs in connection with this charge.

The above file listed RICE's occupation as laborer with Playtime Equipment Company, Omaha, and his address as 2904 Decatur Street, Omaha.

Files of the Identification Division, FBI, under FBI number 603 160 G, as of December 23, 1968, disclosed the following record concerning DAVID LEWIS ANDREW RICE:

<u>Contributor of Finger- prints</u>	<u>Name and Number</u>	<u>Arrested or Received</u>	<u>Charge</u>	<u>Disposi- tion</u>
Police Department, Omaha, Nebraska	DAVID LEWIS RICE #68992	July 7, 1968	Failure to Disperse	
United States Marshal, Omaha, Nebraska	DAVID LEWIS ANDREW RICE #8270 08187	November 14, 1968	50 USC 462 Failure to Report for Induction	

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

In September of 1968, the Office of the United States Attorney, Omaha, Nebraska, requested investigation of RICE by the FBI in that RICE had failed to report for an Armed Forces physical examination on July 17, 1967, and for induction into the Armed Forces on November 20, 1967.

Following completion of this investigation, Assistant United States Attorney, THOMAS F. DOWD, Omaha, on November 6, 1968, authorized the filing of a Federal complaint charging RICE with violation of Title 50, Appendix, United States Code, Section 462, in that on or about November 20, 1967, RICE did willfully and knowingly fail and neglect to perform a duty required of him and in the execution of the Universal Military Training and Selective Service Act and the Rules, Regulations and Directions duly made pursuant thereto, in that he did fail and neglect to comply with an order of his Local Board to report for and submit to induction into the Armed Forces of the United States.

On November 6, 1968, an authorized complaint was filed before United States Commissioner RICHARD C. PECK, Omaha, Nebraska, and a warrant was issued.

RICE was arrested by FBI Agents on November 14, 1968, and following his appearance before the United States Commissioner, he was released on \$1,000 personal recognizance bond.

On December 5, 1968, the Office of the United States Attorney, Omaha, advised that RICE had been found not acceptable for induction into the Armed Forces following a physical examination afforded him on November 25, 1968 and for this reason the Federal complaint against him was being dismissed.

Description

The following description of RICE was obtained through interview and observation of him on November 1, 1968:

~~CONFIDENTIAL~~

OM 157-421

Name	DAVID LEWIS ANDREW RICE
Race	Negro
Sex	Male
Date of Birth	May 21, 1947
Place of Birth	Omaha, Nebraska
Height	5'8"
Weight	148 pounds
Hair	Black
Eyes	Brown
Complexion	Dark
Build	Medium
Marital Status	Single
Scars and marks	Cut scar on right arm below elbow; burn scar on right wrist; scars on both knees; birthmark on right thigh

Relatives:

Father	MR. JAMES OTIS RICE 27th and Maple Streets, Omaha NEBRASKA
Mother	VERA RICE 2906 Franklin Street Omaha, NEBRASKA
Brothers	MICHAEL RICE, age 17 B. APPROX 1951 KIM RICE, age 13 B. APPROX 1955 residing with mother

Social Security number	508 62 5667
------------------------	-------------

AFFILIATION WITH BLACK PANTHER PARTY (BPP)
and UNITED FRONT AGAINST FASCISM (UFAF)

[OM T-1 on August 16, 1968,] ^{RU} identified DAVID LEWIS RICE as one of several individuals he had observed at recent meetings of the Black Panther Party, Omaha. On the basis of RICE's attendance at these meetings, source considered RICE a member of the Black Panther Party.

A characterization of the Black Panther Party appears in the appendix attached hereto.

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

On September 10, 1968, Sergeant JAMES PERRY, Omaha Police Department, advised that DAVID RICE was observed at the Nebraska Peace and Freedom Party convention held August 24, 1968, at Fontenelle Park, Omaha. ELDRIDGE CLEAVER, Minister of Information, National Black Panther Party, was one of the featured speakers at this convention.

[OM T-1] previously mentioned on October 30, 1968, advised DAVID RICE attended a meeting of the Black Panther Party held October 29, 1968, at Black Panther Party Headquarters, 3120 North 24th Street, Omaha.

[OM T-1] when contacted on February 3, 1969, advised that to his knowledge DAVID RICE has had no recent contact with the Black Panther Party Chapter in Omaha.

During the interview of RICE on November 1, 1968, by Special Agents of the FBI, RICE was asked if he was a member of the Black Panther Party or had ever been a member of this organization. He replied "some of my best friends are members"; however, declined to discuss this matter further.

The Omaha World Herald, a daily Omaha newspaper, in its August 11, 1969, edition, carried an article captioned, "Militants Seek Police Control". According to this article, DAVID RICE, age 22, leader of the newly formed United Front Against Fascism, stated that the initial goal of this organization was community control of the Omaha Police Department. In this article RICE stated the group's main objective was "to de-centralize all police forces and place them under community control."

According to the aforementioned article, RICE advised that armed members of the Black Panthers seen on rooftops during the June disturbances on the Near North Side were not protecting Negro-owned businesses but were "protecting black people from the police." This article quoted RICE as saying that the United Front

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

Against Fascism was formed to replace the disbanded Omaha chapter of the Black Panther Party and will work in coalition with the Panther chapter in Kansas City.

[OM T-3] advised on [October 9, 1969] that DAVID RICE attended the United Front Against Fascism conference, sponsored by the Black Panther Party in Oakland, California, during July of 1969.

[OM T-4] made available on [September 12, 1969] a copy of the Community News Bulletin released by the United Front Against Fascism. This bulletin announced that the UFAF would soon be conducting a Liberation School for children at 2616 Parker Street, Omaha. It was announced that further information could be obtained at UFAF Headquarters, telephone number 346-1278, and donations could be sent to 2816 Parker Street, Omaha.

Records of the Northwestern Bell Telephone Company, Omaha, checked on August 19, 1969, disclosed telephone number 346-1278 to be listed to ANDREW RICE, 2816 Parker Street, Omaha.

On October 29, 1969, Patrolman ARNOLD DAILEY, Omaha, Nebraska, Police Department, made available a UFAF newsletter "Freedom By Any Means Necessary" dated October 24, 1969. This newsletter on page 1 stated "that the United Front Against Fascism is the name of an organization of revolutionary black people which was formed after the disbanding of the Omaha chapter of the Black Panther Party by the National Office of the Black Panthers."

The above mentioned newsletter further stated "the members of the U.F.A.F. are working under the jurisdiction of the Kansas City chapter of the Black Panther Party." This Omaha-based organization is moving and will continue to move in a manner that is in line with Black Panther ideology and in a direction that can only be in line with the needs of the people of this black colony." This newsletter identified DAVID L. RICE as Deputy Minister of Information of the UFAF.

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

[OM T-2, on November 13, 1969,] made available a copy of the UFAF newsletter "Freedom By Any Means Necessary" dated November 11, 1969. This newsletter on pages 2 and 3 contains the following article captioned "The Governor/Easy Lessons on Black Colonial Living." Said article is attributed to DAVID L. RICE, Deputy Minister of Information as author:

"THE GOVERNOR/EASY LESSONS ON BLACK COLONIAL LIVING"

"Last week the governor of Nebraska held a Town Hall meeting at Horace Mann Junior High. Supposedly, the meeting's purpose was to give the people a chance to find out what goes on in state government and to get answers to questions that were on their minds. But what actually happened?

"First of all, the written questions from the audience were scrutinized and put through a filtering process by Al Grice and his boys.

"Secondly, both the mayor and his various department heads-especially Crime Commissioner Pig Weaver, who was not only bald but also very ignorant and chock full of stupidity.

"The whole affair was a clearwater picture of how the people's taxes pay the salaries of the 'public servants' and how the people are rebuffed by these public servants. It made very plain mockery of any such statement as 'government of, for, and by the people' as the people do not control either the public officials or their official acts that affect us. The pigs harass and murder our Brothers and Sisters. And we do not have an ounce of say about their activities. Though the government pays farmers a subsidy to leave acres upon acres unplowed, families go hungry and suffer from malnutrition.

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

"And we have not even the power to determine what will be done with the tiniest seed of yellow to brown rye. The schools teach our children lies. And we are impotent to bring about the instruction of truth.

"A colony is land inhabited by a people who have no control over their own affairs but are contained and held in check by some outside power. And we are colonists, who support, with our taxes, the outside powers that hand out piddling crumbs to us upon which to munch and send in the occupation troops (Omaha Pig Dept.) into our territory when we appear 'ungrateful.'

"It is necessary that we immediately put a halt to this inhumane nonsense and take the power that should be ours and will be."

"The spirit of the people is
STRONGER than man's technology!!"

The United Front Against Fascism Newsletter entitled, "Freedom By Any Means Necessary" dated December 9, 1969, which was furnished by [OM T-4] on December 15, 1969, sets forth on page 1 a duplication of a subpoena dated December 8, 1969, directed to DAVID RICE, 2816 Parker Street, Omaha; which subpoena commands RICE to appear on December 11, 1969, in the United States District Court for the District of Nebraska before the Grand Jury. Under this subpoena appears the following paragraph attributed to DAVID L. RICE, Deputy Minister of Information:

"The above is the closest copy that my typewriter could make of the subpoena that I received today. I certainly feel complimented by the fascist and most side show-freakish court system that has made this subpoena possible. All revolutionaries will continue to intensify the struggle until ALL power is in the hands of the people."

~~CONFIDENTIAL~~

OM 157-421

Set forth on page 2 of the December 9, 1969, UFAF Newsletter is the following article which identifies RICE as the writer:

"BLACK MEN AND THE DRAFT"

~~CONFIDENTIAL~~

"In light of the current condition that Black people are in in the United States, how insane it is for our Black men to enlist in or be drafted into the Armed Services. It seems to me that simple-mindedness has to reach some kinds of peaks. And it is certainly a peak of insanity to see Black men running around sporting uniforms that represent the imperialistic military of the United States. It is totally insane to fight for a country in the name of 'freedom,' when that country can only find itself ready to deal out, to a large sector of its populace, such freedoms as" freedom to be unemployed, freedom to be harassed and killed by pigs, freedom to be hungry, freedom to have totally no control over tax-paid services, etc.

"Without a doubts, it is time for all Black men to get hip to the fact that we are being set-up. We are being lied to with the fairy tale that there is something honorable about supporting this country/blatant fascism, racism, and imperialism. Is there honor in fighting on the side of the enemy?

"At this point, Black men are going to have to resist, by any means possible and necessary, the draft and all attempts by this government to enlist Black men for its shameful cannon fodder."

The Omaha World Herald in its December 12, 1969 edition, in an article captioned "Five Black Militants Take 5th Amendment" stated that five black militants including DAVID L. RICE, "leader of the United Front Against Fascism" refused to testify on December 11, 1969, in a Federal Grand Jury investigation of a black

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

"liberation school". According to this article, the five refused to answer any questions on the grounds that their answers might tend to incriminate them.

[OM T-1] advised on [January 26, 1970] that DAVID RICE, Deputy Minister of Information, UFAF, attended and was one of the speakers at the UFAF conference held January 10, 1970, at the Near North YMCA, 2311 North 22nd Street, Omaha.

[OM T-1] advised on [February 9, 1970] that DAVID RICE took part in and was one of the speakers at a revolutionary film festival sponsored by the UFAF and held February 7, 1970, at the Near North YMCA. Among the films shown at this festival was a Black Panther film "Off the Pigs" and one concerning the Chicago demonstration of 1968.

[Om T-5] advised on [February 8, 1970] that DAVID RICE of the UFAF spoke at the UFAF revolutionary film festival held February 7, 1970, at the Near North YMCA, in Omaha.

RICE, according to [OM T-5] spoke of how the people needed guns to use in the streets to protect themselves from police and to use in the revolution.

MISCELLANEOUS

The following article appeared in the summer of 1968, edition of the "Buffalo Chip", an underground newspaper:

"POSSIBLY

A

FATAL FARCE

by david l. rice

"I seriously wonder about the mental state of the poor who trek back to their homes from Resurrection City. As these people going to be

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

satisfied with the nothing they bring home? Poverty sent these people to Washington. Poverty was their company while they remained there. Poverty accompanies them as they return to their deteriorated dwellings.

"Martin Luther King, Jr. promised these people a taste of justice. I am afraid that those white people who still think poverty and racism can be covered over with the dust of time have come to the end of a fine dream.

"America's treacherous government stabs the poor of America with a knife blade; the affluent club the poor with the same knife's handle.

"And yet, U. S. politicians tell the populace that internal peace is soon to take hold. The people expect this to be so.

"The poor (and so not really a part of the whole?) all realize there is a storm coming. Possibly every window will be broken and every vessel of life shattered in this country before an end comes to the misery endured by countless people."

"The Black Panther", the official publication of the BPP, Berkeley, California, in its February 7, 1970, issue on page 15 contains the following article captioned, "A Revolutionary Black Culture", the writer of which is identified as DAVID L. RICE, Deputy Minister of Information, United Front Against Fascism, Omaha:

"Since Black people first were brought to this United States, we have had to pick and choose from the various segments of White ameriKKKa and pull from history and an African heritage in order to develop a culture. But what we have come up with is about as phony and shallow as White ameriKKKan society itself. We have grown up with

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

the traditional dollar-value modes of living. Our sons and daughters are still being brought up with the ridiculous, puritanical, and victorian concepts about sex and language. For the most part, our so-called Soul-music groups are still manufacturing a sound that is devoid of relevance to Black people's condition in this country and are still hung up in the false values of flashy cars, boy-girl kissy-kissy, and money.

"Black people must take the examples of our Eldridges and Bobbys and Hueys, who have dealt in revolutionary politics. He must take these examples and develop a spirit of total revolution, wherein we question all things, throwing out all the old ways that are neither functional for the people's needs nor truly creative. We must develop a revolutionary culture that allows people to dress and talk and eat and sleep the way that pleases them. This culture should be one of freedom, or realizing that one does what he or she pleases, provided that the freedom of others is not impeded. Our revolutionary culture should be one that contains none of the irrelevant conceptualities, such as 'obscene' or 'profane.'

"How ridiculous it would be for the government to be overthrown today. Then, tomorrow one of the people gets beat up by his neighbors for sitting on her front porch naked....."

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

**BLACK PANTHER PARTY,
Also Known As
Black Panther Party for Self-Defense**

According to its official newspaper, the Black Panther Party (BPP) was started during December, 1966, in Oakland, California, to organize black people so they can take control of the life, politics and the destiny of the black community. It was organized by Bobby Seale, BPP Chairman, and Huey P. Newton, BPP Minister of Defense. Newton was sentenced in 1968 to serve 2 to 15 years after being convicted of manslaughter in connection with the killing of an Oakland police officer.

The official newspaper, "The Black Panther," which further describes itself as the "Black Community News Service," states that the BPP advocates the use of guns and guerrilla tactics in its revolutionary program to end oppression of the black people. Residents of the black community are urged to arm themselves against the police who are consistently referred to in the publication as "pigs" who should be killed.

"The Black Panther" issue of September 7, 1968, contains an editorial by BPP Minister of Education, George Mason Murray, which ends with the following:

"Black Men. Black People, colored persons of America, revolt everywhere! Arm yourselves. The only culture worth keeping is a revolutionary culture. Change. Freedom everywhere. Dynamite! Black Power. Use the gun. Kill the pigs everywhere."

Included in the introduction to an article appearing in the October 5, 1968, edition of "The Black Panther" is the statement "...We will not dissent from American Government. We will overthrow it."

Issues of "The Black Panther" regularly contain quotations from the writings of Chairman Mao Tse-tung of The People's Republic of China and feature Mao's statement that "political power grows out of the barrel of a gun."

The national headquarters of the BPP is located at 3106 Shattuck Avenue, Berkeley, California. Branches have been established at various locations throughout the United States.

~~CONFIDENTIAL~~~~CONFIDENTIAL~~

UNITED STATES GOVERNMENT

Memorandum

TO : Director, FBI (Bufile- 157-11449)

DATE: 2/25/70

FROM : SAC, OMAHA (157-421)

SUBJECT: DAVID LEWIS ANDREW RICE
Rm-BPP

Card filed
Cards sent 00
3/13/70

Re: Omaha Summary Report, 2/25/70.5

☒ It is suggested that a Security Index Card be prepared on the above-captioned individual.

☐ The Security Index Card on the captioned individual should be changed as follows (specify change only):

Name DAVID LEWIS ANDREW RICE			
Aliases		<input checked="" type="checkbox"/> Native Born <input type="checkbox"/> Naturalized <input type="checkbox"/> Alien	Tab <input type="checkbox"/> Priority I <input checked="" type="checkbox"/> Priority II <input type="checkbox"/> Priority III
<input type="checkbox"/> ANA <input checked="" type="checkbox"/> AWC <input checked="" type="checkbox"/> BNT	<input type="checkbox"/> COMMUNIST <input type="checkbox"/> JFG <input type="checkbox"/> MIN	<input type="checkbox"/> NOI <input type="checkbox"/> PLP <input type="checkbox"/> POC	<input type="checkbox"/> PPA <input type="checkbox"/> PRN <input type="checkbox"/> Miscellaneous (Specify) Black Panther Party
Date of Birth May 21, 1947		Place of Birth Omaha, Nebraska	Race N Sex <input checked="" type="checkbox"/> Male <input type="checkbox"/> Female
Business Address, Name of Employing Concern and Address, Nature of Employment, and Union Affiliation, if any. Greater Omaha Community Action (COCA) 2936 North 24th Street Omaha, Nebraska Neighborhood worker,		Residence Address 2816 Parker Street Omaha, Nebraska	
Key Facility Data			
Geographical Reference Number		Responsibility	

REGISTERED MAIL

2 - Bureau
2 - Omaha

GDW:lr1

(4) ENCLOSURE

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 8-5-80 BY

REC-77

9 MAR 2 1970

RACIAL INT. SECT.

60 MAR 19 1970

OM 157-421

SUCCINCT RESUME OF CASE

RICE attended Black Panther Party meetings, Omaha, during summer of 1968, and one meeting of the organization on October 29, 1968. RICE in August, of 1969, identified as leader of newly formed United Front Against Fascism (UFAF), Omaha, an organization formed to replace the disbanded Black Panther Party. RICE attended UFAF conference sponsored by the BPP in Oakland, California, July of 1969. Between November 1969, and February 1970, RICE identified as Deputy Minister of information of UFAF and during this period wrote articles for UFAF newsletter and took part in functions of this organization.

DEPARTMENT OF JUSTICE

United States Government
MEMORANDUM~~SECRET~~To: Director
Federal Bureau of Investigation

Date: July 9, 1970

From: Assistant Attorney General
Internal Security Division

Subject: INDEX REVIEW

Re: DAVID LEWIS ANDREW RICE

Mr. Tolson	_____
Mr. DeLoach	_____
Mr. Walters	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Casper	_____
Mr. Callahan	_____
Mr. Conrad	_____
Mr. Felt	_____
Mr. Gale	_____
Mr. Rosen	_____
Mr. Sullivan	_____
Mr. Tavel	_____
Mr. Soyars	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

File in FBI No. 157-11449

CC: 100-398030

Reports of investigation have been reviewed as requested

by you on _____.

It has been determined that indexing of this case for future
review should be☒ continued☐ discontinued

Commentary:

EX 106

REC- 56

DECLASSIFIED BY 32133 (Enc) PLS w/Car
ON 12-23-65

18 JUL 10 1970

cc: FBI
ISD-SO
Dept. 146-012-18-2~~SECRET~~

GROUP 1

Excluded from automatic
downgrading and
declassification

NW 632001221970 0880 Page 51

EXP. PROC.

UNRECORDED COPY FILED IN 100-398030-31

JUL 10 1970

INT. SEC.

INT. SEC.

UNITED STATES GOVERNMENT

Memorandum

INSTRUCTIONS - reverse side

TO: Director, FBI (Att. Special Investigative Division)

DATE: 8/25/70

FROM: SAC, OMAHA

(ORI) Initial Submission

SUBJECT: DAVID LEWIS ANDREW RICE - FUGITIVE
RM - BPP; POSSESSION EXPLOSIVE
SUBSTANCE

Supplements data previously furnished re following

individual by FD-65 dated

In order that a fugitive index card may be prepared and information entered in NCIC without delay, the following information is furnished:

Name and aliases (NAM)		<input checked="" type="checkbox"/> Armed and dangerous (MKE)	
DAVID LEWIS ANDREW RICE		<input type="checkbox"/> Suicidal tendencies	
Sex (SEX)	Race (RAC)	Birthplace (NAT)	Birthdate (DOB)
M	N	Omaha, Nebraska	5/21/47
Height (HGT)	Weight (WGT)	Hair (HAI)	Eyes (EYES)
5'8"	150	BK	BROWN
Fingerprint classification		NCIC Fingerprint classification (FPC)	
		LED S	
Other identifying number (MNU)	Scars, marks and other identifying remarks (MIS)		
Social Security number (SOC)			
508-62-5667			
Operator's license number (OLN)	State (OLS)	Year expires (OLY)	
Offense charged (OFF) <u>Unlawful Flight to Avoid Prosecution - Possession of</u>			
U. S. Code, Title and Section <u>Title 18, U.S. Code, Section 1073 - Explosive Substance</u>			
Warrant issued by <u>U.S. Commissioner RICHARD C. PECK, Omaha</u> on <u>8/25/70</u> (DOW)			
Date PBV or bond default case referred to office <u>Nebraska</u>			
Field office file # (OCA)	OO: (MIS)	Bufile# (MIS)	
157-421-88-6585	OMAHA	157-11449	
LICENSE PLATE AND VEHICLE INFORMATION			
License plate # (LIC)	State (LIS)	Year expires (LIY)	License plate type (LIT)
Vehicle identification # (VIN)	Year (VYR)	Make (VMA)	Model (VMO)
		Style (VST)	Color (VCO)

NCIC # (NIC)

REC-36 157-11449-8

2-Omaha Bureau
1-National Crime Information Center
1-Omaha

NW: 157-421-88-6585
1970 F149

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8-5-80 BY SP4 JRM/1972

INSTRUCTIONS 1 12-21 PM '70

Two copies of FD-65 should be submitted to the Bureau. One original, marked for the attention of the Special Investigative Division and a green copy designated for NCIC.

FD-65 should be submitted immediately when a subject becomes a Bureau fugitive (including escaped Federal prisoners) except where subject wanted as a parole or conditional release violator or deserter. It is not necessary to make an initial submission of an FD-65 where a subject is wanted as a parole or conditional release violator or deserter.

An original and green copy of a supplemental FD-65 should be submitted when additional pertinent information is obtained or there are changes in information previously furnished. When a supplemental FD-65 is submitted, only information added, changed or deleted need be shown except that the name of the fugitive and the field office file number must be shown in all instances.

Should the information added, changed, or deleted necessitate a title change, not previously reported, the caption of the FD-65 should be marked "changed" and the change explained on a separate page stapled to the FD-65.

Where information is being added or changed in any item other than "Name and Aliases" the new data is to be entered in the appropriate block and will automatically replace any information previously recorded therein. No reference to the information previously entered need be made.

Where information is being deleted from any item other than "Name and Aliases" the word "delete" is to be entered in the appropriate block and will automatically eliminate any information previously recorded.

Where a name or alias is being added, changed or deleted, such addition, change or deletion should be briefly identified in the "Name and Aliases" block.

1. **Name and Aliases (NAM)**-Include name and all aliases. Supplemental FD-65 necessary when there is a change in name or an alias is changed, added or deleted.

2. **Armed and Dangerous, Suicidal Tendencies (MKE)**-When initially reported on FD-65, basis for caution statement should appear in this block.

3. **Sex (SEX)**-Sex will be designated: M-Male; F-Female.

4. **Race (RAC)**-Race will be described by abbreviations used in the Uniform Crime Reporting Program, i.e., White-W; Negro-N; Indian-I; Chinese-C; Japanese-J; all other-O. Mexicans who are not definitely Indian or other non-white should be described as "W".

5. **Birthplace (NAT)**-Indicate city and state or if foreign born, city and country. Where multiple birthplaces are reported, list verified birthplace or that which appears most logical.

6. **Birth Date (DOB)**-Enter as month, day and year. Where multiple birth dates are reported, list verified birth date or that which appears most logical.

7. **Height (HGT)**-Express in feet and inches, i.e., 6'0".

8. **Weight (WGT)**-Express in pounds.

9. **Hair (HAI)**-Color hair to be described as black-BK; brown-BR; blond or strawberry blond-BN; red or auburn-RD; white-WH; gray or partially gray-GY; sandy-SN; Bald-OO.

10. **Fingerprint Classification**-Set out FBI fingerprint classification if known.

11. **NCIC Fingerprint Classification (FPC)**-Do not use. This item is classified by a formula for computer usage.

12. **Other Identifying Number (MNU)**-Miscellaneous numbers may be entered with appropriate identifiers as shown below. The identifier should precede the number and be separated from the number by use of a hyphen.

AS - (Army Serial Number, National Guard or Air National Guard Serial Number)

NS - (Navy Serial Number)

AF - (Air Force Serial Number)

CGA - (U.S. Coast Guard Number)

SS - (Selective Service Number)

VA - (Veterans Administration Claim Number)

AR - (Alien Registration Number)

MD - (Mariner's Document Number)

MC - (Marine Corps Serial Number)

PS - (Port Security Card Number)

PP - (Passport Number)

Any other miscellaneous numbers, such as, arrest numbers, should be described.

13. **Social Security (SOC)**-List most recent Social Security Number known to be used by subject.

14. **Operator's License Number (OLN)**-Check with states of residence to obtain this number. List number believed to be used by subject.

15. **Warrant Issued on (DOW)** - In Escaped Federal Prisoner cases, the date of escape should be entered in the space preceding (DOW).

F B I

Date: 8/26/70

Transmit the following in _____
(Type in plain text or code)Via AIRTEL

(Priority or Method of Mailing)

~~CONFIDENTIAL~~APPROPRIATE AGENCIES
AND FIELD OFFICES
ADVISED BY ROUTING
SLIP(S) OFTO: DIRECTOR, FBI
FROM: SAC, OMAHA
SUBJECT: DUANE CHRISTOPHER PEAK - FUGITIVE
UFAP - MURDER; JDA
OM 88-6584

DATE 7-16-82

DECLASSIFIED BY SP8 BTJ/dd
ON 6-30-82 #200360

CARBON COPY

DAVID LEWIS ANDREW RICE - FUGITIVE
UFAP - POSSESSION OF EXPLOSIVE SUBSTANCE
OM 88-6585Enclosed for San Francisco are six copies each
of photographs of subjects.Enclosed for each receiving office are one copy
each of photographs of subjects.

- 4 - Bureau
- 2 - Baltimore (Enc. 2)
- 2 - Boston (Enc. 2)
- 2 - Charlotte (Enc. 2)
- 2 - Birmingham (Enc. 2)
- 2 - Chicago (Enc. 2)
- 2 - Cleveland (Enc. 2)
- 2 - Columbia (Enc. 2)
- 2 - Dallas (Enc. 2)
- 2 - Denver (Enc. 2)
- 2 - Detroit (Enc. 2)
- 2 - Indianapolis (Enc. 2)
- 2 - Kansas City (Enc. 2)
- 2 - Los Angeles (Enc. 2)
- 2 - Milwaukee (Enc. 2)
- 2 - Minneapolis (Enc. 2)

- 2 - Newark (Enc. 2)
- 2 - New Haven (Enc. 2)
- 2 - New Orleans (Enc. 2)
- 2 - New York (Enc. 2)
- 2 - Oklahoma City (Enc. 2)
- 2 - Philadelphia (Enc. 2)
- 2 - Pittsburgh (Enc. 2)
- 2 - Portland (Enc. 2)
- 2 - Sacramento (Enc. 2)
- 2 - San Francisco (Enc. 12)
- 2 - Savannah (Enc. 2)
- 2 - Seattle (Enc. 2)
- 2 - WFO (Enc. 2)
- 5 - Omaha
 - (2 - 88-6584)
 - (2 - 88-6585)
 - (1 - 157-887)

DMH:erb
(65)

CLASS. & EXT. BY SP4 JRM-SAR
REASON-FCIM II 1-2.4.2
DATE OF REVIEW 8-26-90

NOT RECORDED
98 SEP 11 1970

ORIGINAL FILED IN 157-18546-1X

NW: 15202 DocId: 70000880 Page 34

51 SEP 24 1970

Approved: _____

Special Agent in Charge

Sent _____

M

Per _____

~~CONFIDENTIAL~~

OM 88-6584

OM 88-6585

~~CONFIDENTIAL~~

On 8/17/70 a bomb explosion occurred at an abandoned house in a predominantly Negro residential area in Omaha, Nebraska. The resulting explosion killed Omaha Police Officer LARRY D. MINARD and injured seven other officers. The Police Department had received an anonymous telephone call stating that there was a screaming woman in the abandoned house, and upon arriving at the scene police officers conducted a search of the house. Investigation by the Omaha Police Department indicates that Officer MINARD apparently touched or kicked a suitcase that was located near the front door of the house and set off an explosive device, killing him instantly.

On 8/24/70 Public Safety Director, City of Omaha, AL PATTAVINA, advised that police received a tip from a young girl who had observed DUANE PEAK in possession of a suitcase on the night of 8/16/70 in the vicinity of the bombing. Investigation by the Omaha Police Department obtained enough evidence to enable the Douglas County Attorney to issue a felony warrant on DUANE PEAK charging him with murder in the first degree.

Acting on information received from confidential sources, the Omaha Police Department conducted a raid at 2816 Parker Street, Omaha, residence of DAVID RICE, and during their search of his residence found one case of dynamite, a supply of blasting caps, and three rifles. Based on this evidence the Douglas County Attorney issued a felony warrant charging RICE with possession of an explosive substance.

Local authorities have been unable to locate subjects. On 8/25/70 U. S. Attorney RICHARD A. DIER, Omaha, authorized complaints charging DUANE PEAK and RICE with violation of Title 18, USC, Section 1073 - UFAP. Authorized complaints were filed by SA DAVID M. HAYES, same date. U. S. Commissioner RICHARD C. PECK, Omaha, issued warrants, same date. Recommended bond \$50,000.00 each.

The following description of PEAK was obtained from the Omaha Police Department:

See also
violation.

~~CONFIDENTIAL~~

FOIA(b)(7) - (C)

OM 88-6584
OM 88-6585

Name	DUANE CHRISTOPHER PEAK
Race	Negro
Sex	Male
Date of birth	
Place of birth	
Height	5'6"
Weight	140 pounds
Eyes	Brown
Hair	Black
Complexion	Dark
Build	Medium

~~CONFIDENTIAL~~

The following description was obtained through interview and observation of RICE on 10/1/68:

Name	DAVID LEWIS ANDREW RICE
Race	Negro
Sex	Male
Date of birth	5/21/47
Place of birth	Omaha, Nebraska
Height	5'8"
Weight	148 pounds
Hair	Black
Eyes	Brown
Complexion	Dark
Build	Medium
Marital status	Single
Scars and marks	Cut scar on right arm below elbow; burn scar on right wrist; scars on both knees; birthmark on right thigh
Fingerprint Classification	15 M 25 W MOM 12 M 28 W IOI

Both subjects were closely associated with the Omaha chapter of the National Committee to Combat Fascism (NCCF), a front group for the Black Panther Party. RICE was the Minister of Information for the party and also published the NCCF Newsletter. RICE has described himself as a black revolutionary and has made statements to the press that he believes organized violence is necessary for the blacks to gain their freedom.

~~CONFIDENTIAL~~

FOIA(b)(7) - (D)

~~CONFIDENTIAL~~

OM 88-6584
OM 88-6585

DUANE PEAK is a cousin of two officers of the Omaha NCCF and because of this has closely associated with members of the NCCF. At one time PEAK had been a member but [] advised on 3/31/70 that PEAK had been dismissed from the party by the party's chairman. No reason was given for the dismissal. (X)

LEADS

ALL RECEIVING OFFICES

All offices contact logical sources familiar with black militant groups in an effort to obtain information concerning fugitives.

ARMED AND DANGEROUS.

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D.C. 20537

9-28-70 353 SAB

The following FBI record, NUMBER 603 160 G, is furnished FOR OFFICIAL USE ONLY. Information shown on this Identification Record represents data furnished FBI by fingerprint contributors. WHERE FINAL DISPOSITION IS NOT SHOWN OR FURTHER EXPLANATION OF CHARGE IS DESIRED, COMMUNICATE WITH AGENCY CONTRIBUTING THOSE FINGERPRINTS.

CONTRIBUTOR OF FINGERPRINTS	NAME AND NUMBER	ARRESTED OR RECEIVED	CHARGE	DISPOSITION
PD Omaha, Nebr	David Lewis Rice #68992	7-7-68	Failure to disperse	\$25 & Costs
USM Omaha Nebr	David Lewis Andrew Rice #8270 08187	11-14-68	50 USC 462 Fail to report for induction	9- ED PD Floyd
SO Omaha Nebr	David Lewis Rice #19496	8-27-70	poss. of explosive substance	

see index

Steb
B. H. Brown
Special
Intell

MCT-51

157-~~PH/EG~~

NOT RECORDED

1 OCT 1 1970

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8-5-80 BY SP4 JRM-JAK

58 DEC 22 1970

NW: 15202 DocId: 70000880 Page 58

Notations indicated by * are NOT based on fingerprints in FBI files but are listed only as investigative leads as being possibly identical with subject of this record.

John Edgar Hoover
Director

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D.C. 20537

9-25-70 743 IB

The following FBI record, NUMBER 603 160 G, is furnished FOR OFFICIAL USE ONLY. Information shown on this Identification Record represents data furnished FBI by fingerprint contributors. WHERE FINAL DISPOSITION IS NOT SHOWN OR FURTHER EXPLANATION OF CHARGE IS DESIRED, COMMUNICATE WITH AGENCY CONTRIBUTING THOSE FINGERPRINTS.

CONTRIBUTOR OF FINGERPRINTS	NAME AND NUMBER	ARRESTED OR RECEIVED	CHARGE	DISPOSITION
CC-Internal Security Section Domestic Intelligence Division CC-FBI Omaha, Nebraska	Copy of record was furnished Area Supervisor Enforcement Alcohol, Tobacco & Firearms Division Post Office Box 1168 Omaha, Nebraska 68101 as identical with subject of their inquiry dated 9-9-70.			

THIS PAGE SHOULD NOT BE DISSEMINATED OUTSIDE FBI.

NW: 15202 DocId: 70000880 Page 59

Notations indicated by * are NOT based on fingerprints in FBI files but are listed only as investigative leads as being possibly identical with subject of this record.

John Edgar Hoover
Director

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D.C. 20537

2-BU

9-25-70 743 13

The following FBI record, NUMBER 603 160 G, is furnished FOR OFFICIAL USE ONLY.
Information shown on this Identification Record represents data furnished FBI by fingerprint contributors. WHERE
FINAL DISPOSITION IS NOT SHOWN OR FURTHER EXPLANATION OF CHARGE IS DESIRED, COMMUNICATE
WITH AGENCY CONTRIBUTING THOSE FINGERPRINTS.

CONTRIBUTOR OF FINGERPRINTS	NAME AND NUMBER	ARRESTED OR RECEIVED	CHARGE	DISPOSITION
CC-Internal Security Section Domestic Intelligence Division CC-FBI Omaha, Nebraska	<p>Copy of record was furnished Area Supervisor Enforcement Alcohol, Tobacco & Firearms Division Post Office Box 1168 Omaha, Nebraska 68101 as identical with subject of their inquiry dated 9-9-70.</p>			

THIS PAGE SHOULD NOT BE DISSEMINATED OUTSIDE FBI.

NW: 15202 DocId: 70000880 Page 60

Notations indicated by * are NOT based on fingerprints in FBI files but are listed only as investigative leads as being possibly identical with subject of this record.

John Edgar Hoover
Director

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

AUG 27 1970

TELETYPE

Mr. Tolson _____
Mr. Sullivan _____
Mr. Mohr _____
Mr. Bishop _____
Mr. Brennan CD _____
Mr. Callahan _____
Mr. Casper _____
Mr. Con _____
Mr. Felt _____
Mr. Gale _____
Mr. Rosen _____
Mr. Tavel _____
Mr. Walters _____
Mr. Soyars _____
Tele. Room _____
Miss Holmes _____
Miss Gandy _____

NR 001 OM PLAIN

12:27 PM URGENT 8-27-70 LWB

TO: DIRECTOR

FROM: OMAHA (88-6584) (88-6585) (IP)

DUANE CHRISTOPHER PEAK - FUG. UFAP - MURDER; JDA; DAVID
LEWIS ANDREW RICE - FUG. UFAP - POSSESSION OF EXPLOSIVE SUBSTANCE.

RE OMAHA AIRTEL TO BUREAU AUGUST TWENTYSIX LAST.

SUBJECT RICE SURRENDERED TO OMAHA PD THIS DATE. EFFORTS
CONTINUING TO LOCATE SUBJECT PEAK.

ARMED AND DANGEROUS

END

FBI WA ROR

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8-5-80 BY SP4 JRM/SAR

REC-44

51668

15 AUG 28 1970

157-11449
NOT RECORDED

FEB 19 1971

FEB 18 1971 CNK

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE OMAHA	OFFICE OF ORIGIN OMAHA	DATE 8/28/70	INVESTIGATIVE PERIOD 8/25-27/70
TITLE OF CASE DAVID LEWIS ANDREW RICE - FUGITIVE <i>cu o m 8/27</i>		REPORT MADE BY SA JAMES T. BURNS	TYPED BY erb
		CHARACTER OF CASE UFAP - POSSESSION OF EXPLOSIVE SUBSTANCE <i>9-4-70</i>	

REFERENCES: Omaha airtel to Bureau, 8/26/70 *157-11449-5*
 Omaha teletype to Bureau, 8/27/70 -1
 Omaha airtel to Baltimore, 8/27/70

- C -

ACCOMPLISHMENTS CLAIMED <input type="checkbox"/> NONE						ACQUIT-TALS	CASE HAS BEEN: PENDING OVER ONE YEAR <input type="checkbox"/> YES <input type="checkbox"/> NO PENDING PROSECUTION OVER SIX MONTHS <input type="checkbox"/> YES <input type="checkbox"/> NO
CONVIC.	AUTO.	FUG.	FINES	SAVINGS	RECOVERIES		
APPROVED <i>W. J. Burns</i>						SPECIAL AGENT IN CHARGE	
COPIES MADE:						DO NOT WRITE IN SPACES BELOW	
1 - Bureau 1 - USA, Omaha 3 - Omaha (1 - 88-6585) (1 - 88-6584) (1 - 157-887)						<i>88-157-11449-4</i> 157-11449-9 SEP 1 1970 REC-84 EX-109	
ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED 8-5-80 BY SP4 JRM-SAR							
Dissemination Record of Attached Report						Notations	
Agency						<i>FUG. SUP.</i> <i>ST. SECT.</i>	
Request Recd.							
Date Fwd.							
How Fwd.							
By							

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Copy to: 1 - United States Attorney, Omaha, Nebraska

Report of: SA JAMES T. BURNS
Date: August 28, -1970

Office: OMAHA

Field Office File #: 88-6585

Bureau File #:

Title: DAVID LEWIS ANDREW RICE

Character: UNLAWFUL FLIGHT TO AVOID PROSECUTION -
POSSESSION OF EXPLOSIVE SUBSTANCE

Synopsis:

On 8/17/70 one Omaha Police Department (OPD) officer was killed and seven injured by a bomb blast. OPD investigation revealed the bomb was apparently planned to harm officers responding to a false complaint call. In an OPD raid on subject's home, a case of dynamite and blasting caps were found. On 8/25/70 a felony warrant was issued by Douglas County, Nebraska, authorities for subject's arrest for possession of explosive substance. As local authorities were unable to locate subject, the USA, District of Nebraska, Omaha, on 8/25/70 issued a complaint charging subject with violation Title 18, USC, Section 1073 - UFAP. Authorized complaint filed same date. U. S. Commissioner, Omaha, issued warrant and recommended bond at \$50,000.00. On 8/27/70 subject surrendered himself to OPD officers and charges were dropped same date by AUSA, District of Nebraska.

- C -

DETAILS:

On August 17, 1970, a bomb explosion occurred at an abandoned house in a predominantly Negro residential area in Omaha, Nebraska. The resulting explosion killed Omaha Police Officer LARRY D. MINARD and injured seven other officers.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8-5-80 BY SP4 JRM-JAR

OM 88-6585

The Police Department had received an anonymous telephone call stating that there was a screaming woman in the abandoned house, and upon arriving at the scene police officers conducted a search of the house. Investigation by the Omaha Police Department indicates that Officer MINARD apparently touched or kicked a suitcase that was located near the front door of the house and set off an explosive device, killing him instantly.

Acting on information received from confidential sources, the Omaha Police Department conducted a raid at 2816 Parker Street, Omaha, residence of DAVID LEWIS ANDREW RICE, and during their search of this residence found one case of dynamite, a supply of blasting caps, and three rifles. Based on this evidence the Douglas County Attorney, Omaha, issued a felony warrant charging RICE with possession of an explosive substance.

As local authorities were unable to locate subject, United States Attorney RICHARD A. DIER, District of Nebraska, Omaha, on August 25, 1970, authorized a complaint charging subject with violation of Title 18, United States Code, Section 1073, Unlawful Flight to Avoid Prosecution. Authorized complaint was filed by SA DAVID M. HAYES same date. United States Commissioner RICHARD C. PECK, Omaha, issued warrant same date, and recommended bond of \$50,000.00.

The following description of RICE was obtained from the Omaha Police Department and through interview and observation of RICE on October 1, 1968:

Name	DAVID LEWIS ANDREW RICE
Race	Negro
Sex	Male
Date of birth	May 21, 1947
Place of birth	Omaha, Nebraska
Height	5'8"
Weight	148 pounds
Hair	Black
Eyes	Brown
Complexion	Dark
Build	Medium
Marital status	Single
Scars and marks	Cut scar on right arm below elbow, burn scar on right wrist, scars on both knees, birthmark on right thigh
Fingerprint	
Classification	15 M 25 W MOM 12 M 28 W IOI

OM 88-6585

On August 27, 1970, subject appeared at the Omaha Police Station and surrendered himself to police officers.

On August 27, 1970, Assistant United States Attorney WILLIAM K. SCHAPHORST, District of Nebraska, Omaha, advised SA JAMES T. BURNS that the Unlawful Flight to Avoid Prosecution charges against subject would be dropped immediately.

3*

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Sullivan

DATE: 8/28/70

FROM : J. H. Gale

SUBJECT: DUANE CHRISTOPHER PEAK -
FUGITIVE
DAVID L. RICE -
FUGITIVE
UNLAWFUL FLIGHT TO AVOID
PROSECUTION - MURDER

Tolson _____
Sullivan _____
Mohr _____
Bishop _____
Brennan _____
Callahan _____
Casper _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Soyars _____
Tele. Room _____
Holmes _____
Gandy _____

DAVID LEWIS ANDREW RICE

The Omaha Office has advised that Duane Christopher Peak was apprehended on 8/28/70 by Special Agents and local authorities in Omaha. Peak is a 15-year-old Negro male charged with murder in connection with the explosion in Omaha on August 17, 1970, at a vacant residence in a predominantly Negro residential area where a police officer was killed and seven others were injured. The police officers were lured to the house by an anonymous telephone call stating that a woman was screaming in the house. As the officers searched the house, one officer either apparently touched or kicked a suitcase located near the front entrance which triggered an explosive device killing him instantly.

Peak is one of nine individuals charged in this incident, all of whom are associated with the National Committee to Combat Fascism which is a front group for the Black Panther Party in Omaha. Investigation by the Omaha authorities has discovered evidence indicating Peak was responsible for placing the suitcase containing the explosives in the residence.

One individual, David L. Rice, is still at large and an intensive fugitive investigation is being conducted to locate him based on an unlawful flight warrant which was issued on August 25, 1970.

RECOMMENDATION: None. For information.

- 1 - Mr. Sullivan
- 1 - Mr. Bishop
- 1 - Mr. C. D. Brennan
- 1 - Mr. Gale
- 1 - Mr. Eddy
- 1 - Mr. Hurst

CWH:cm (7)

FEB 19 1971

UNITED STATES GOVERNMENT

Memorandum

TO : Director, FBI (Bufile- 157-11449

) DATE: 2-12-71

FROM : *PCY*
to SAC, OMAHA (157-421)

SUBJECT: **DAVID LEWIS ANDREW RICE**
RM - BPP

Re: **Omaha FD-122 dated 2-25-70.**

☐ It is recommended that a Security Index Card be prepared on the above-captioned individual.

☒ The Security Index Card on the captioned individual should be changed as follows (*specify change only*):

Name			
Aliases		<input type="checkbox"/> Native Born <input type="checkbox"/> Naturalized <input type="checkbox"/> Alien	Tab <input type="checkbox"/> Priority I <input type="checkbox"/> Priority II <input type="checkbox"/> Priority III
<input type="checkbox"/> ANA <input type="checkbox"/> AWC <input type="checkbox"/> BNT	<input type="checkbox"/> BPP <input type="checkbox"/> COMMUNIST <input type="checkbox"/> JFC	<input type="checkbox"/> MIN <input type="checkbox"/> NOI	<input type="checkbox"/> PLP <input type="checkbox"/> PPA <input type="checkbox"/> Miscellaneous (<i>Specify</i>) _____
<input type="checkbox"/> PRN <input type="checkbox"/> SDS	<input type="checkbox"/> SNC <input type="checkbox"/> SPL	<input type="checkbox"/> SWP <input type="checkbox"/> WWP	
Date of Birth	Place of Birth	Race	Sex <input type="checkbox"/> Male <input type="checkbox"/> Female
Business Address, Name of Employing Concern and Address, Nature of Employment, and Union Affiliation, if any. Unemployed ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8-5-80 BY SP4 JRM-JAK		Residence Address Douglas County Jail Omaha, Nebraska 157-11449- NOT RECORDED	
Key Facility Data		11 FEB 22 1971	
Geographical Reference Number		Responsibility	

REGISTERED MAIL

② Bureau
1-Omaha
DMH: pag
(3)

*Notation
RE*

RESEARCH SECTION

RACIAL INT. SECT.

OFFICE OF ECONOMIC OPPORTUNITY

EXECUTIVE OFFICE OF THE PRESIDENT
WASHINGTON, D.C. 20506

20 OCT 1970

Greater Omaha Community Council
Greater Omaha Community Action Inc.

Honorable J. Edgar Hoover
Director
Federal Bureau of Investigation
9th Street and Pennsylvania Avenue, N.W.
Washington, D.C. 20535

Dear Mr. Hoover:

David Lewis Andrew

With reference to inquiries made by the Office of Economic Opportunity to the Federal Bureau of Investigation concerning Eddie E. Bolden and David Lewis Rice, I am referring herewith for your consideration the following OEO Inspection Division reports: (1) Alleged Involvement of GOCA and OIC Employees in Violence in Omaha, Nebraska, dated August 26, 1970 and (2) Alleged Mismanagement - Opportunities Industrial Centers (OIC), Omaha, Nebraska, Dates of Inspection: August 24-27, 1970, dated September 8, 1970.

Very truly yours,

Arthur J. Reid
Arthur J. Reid
Deputy General Counsel

Enclosure

Records
Place copy of this
in back file of
Eddie Eugene Bolden
157-10229 and
David Lewis Rice
157-11449

NOT RECORDED

12 OCT 21 1970

REC'D INT. SEC.

57 DEC 14 1970

ORIGINAL FILED IN 157-10229-17



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

WASHINGTON, D.C. 20535
February 22, 1971

In Reply, Please Refer to
File No.

Director
United States Secret Service
Department of the Treasury
Washington, D. C. 20220

~~CONFIDENTIAL~~

Dear Sir:

The information furnished herewith concerns an individual who is believed to be covered by the agreement between the FBI and Secret Service concerning Presidential protection, and to fall within the category or categories checked.

1. ☐ Has attempted or threatened bodily harm to any government official or employee, including foreign government officials residing in or planning an imminent visit to the U. S., because of his official status.
2. ☐ Has attempted or threatened to redress a grievance against any public official by other than legal means.
3. ☒ Because of background is potentially dangerous; or has been identified as member or participant in communist movement; or has been under active investigation as member of other group or organization inimical to U. S.
4. ☐ U. S. citizens or residents who defect from the U. S. to countries in the Soviet or Chinese Communist blocs and return.
5. ☒ Subversives, ultrarightists, racists and fascists who meet one or more of the following criteria:
 - (a) ☐ Evidence of emotional instability (including unstable residence and employment record) or irrational or suicidal behavior;
 - (b) ☐ Expressions of strong or violent anti-U. S. sentiment;
 - (c) ☒ Prior acts (including arrests or convictions) or conduct or statements indicating a propensity for violence and antipathy toward good order and government.
6. ☐ Individuals involved in illegal bombing or illegal bomb-making.

Photograph ☒ has been furnished ☐ enclosed ☐ is not available
☐ may be available through _____

Very truly yours,

J. Edgar Hoover
John Edgar Hoover
Director

1 - Special Agent in Charge (Enclosure(s))

NW: 15202 DocId: 70000880 Page 69

~~CONFIDENTIAL~~

Enclosure(s)

(Upon removal of classified enclosures, if any, this transmittal form becomes UNCLASSIFIED.)



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

WASHINGTON, D.C. 20535

February 22, 1971

In Reply, Please Refer to
File No.

Director
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2. ☐ Has attempted or threatened to redress a grievance against any public official by other than legal means.
3. ☒ Because of background is potentially dangerous; or has been identified as member or participant in communist movement; or has been under active investigation as member of other group or organization inimical to U. S.
4. ☐ U. S. citizens or residents who defect from the U. S. to countries in the Soviet or Chinese Communist blocs and return.
5. ☒ Subversives, ultrarightists, racists and fascists who meet one or more of the following criteria:
 - (a) ☐ Evidence of emotional instability (including unstable residence and employment record) or irrational or suicidal behavior;
 - (b) ☐ Expressions of strong or violent anti-U. S. sentiment;
 - (c) ☒ Prior acts (including arrests or convictions) or conduct or statements indicating a propensity for violence and antipathy toward good order and government.
6. ☐ Individuals involved in illegal bombing or illegal bomb-making.

Photograph ☒ has been furnished ☐ enclosed ☐ is not available
☐ may be available through _____

Very truly yours,

J. Edgar Hoover
John Edgar Hoover
Director

1 - Special Agent in Charge (Enclosure(s))

U. S. Secret Service, Omaha

NW: 15202 DocId: 70000880 Page 70

CONFIDENTIAL

Enclosure(s)

(Upon removal of classified enclosures, if any, this transmittal form becomes UNCLASSIFIED.)

FEDERAL BUREAU OF INVESTIGATION

Reporting Office OMAHA	Office of Origin OMAHA	Date 2-22-71	Investigative Period 8-20-70 - 2-11-71
Title of Case DAVID LEWIS ANDREW RICE		Report made by DAVID M. HAYES	Typed By: pag
		Character of Case RM - BPP	

SUMMARY

REFERENCE: Omaha report of SA GEORGE D. WATT dated 2-25-70

- P* -

ENCLOSURES

FOR THE BUREAU

Enclosed for the Bureau are two copies of FD-376.

LEADS

OMAHA

AT OMAHA, NEBRASKA

Will follow the trial of DAVID RICE and submit report to Bureau upon trial completion.

DECLASSIFIED BY 3832
ON 1/12/78

APPROPRIATE AGENCIES
AND FIELD OFFICES
ADVISED BY ROUTING
SLIP(S) OF Declass.
DATE 1-28-78 AP/ps

Approved <i>PC/JS</i>	Special Agent in Charge	Do not write in spaces below	
Copies made: (8-Bureau (157-11449) (Enc-2) (RM) 1-Secret Service, Omaha (RM) 1-113th MIG, Omaha (RM) 1-Alcohol, Tobacco and Firearms Division of IRS, Omaha (RM) 2-Omaha (157-421)		157-11449-10	REC-30
		16 MAR 1 1971	EX 101
Notations: Copy to <u>SS/AFD/SD/DIC</u> by routing slip for <input checked="" type="checkbox"/> info <input type="checkbox"/> action date <u>3/4/71</u> by <u>RME/led</u>		ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE <u>3/29/85</u> BY <u>SP4 JRM/JAR</u> RACIAL INT. SECT.	

61 MAR 9 1971

OM 157-421

ADMINISTRATIVE

Copies of this report are being furnished locally to Secret Service, 113th MIG, and Alcohol, Tobacco and Firearms Division of IRS, Omaha.

157 cases have been opened on those individuals mentioned in this report.

B
COVER PAGE

1. ☒ Subject's name is included in the ☒ Security Index ☐ Agitator Index ☐ Reserve Index.
2. ☐ The data appearing on the ☐ Security Index Card ☐ Agitator Index Card are current.
3. ☐ The data appearing on the Reserve Index Card ☐ A ☐ B ☐ are current ☐ have been changed.
4. ☐ Changes on the ☐ Security Index Card ☐ Agitator Index Card are necessary and ☐ Form FD-122 ☐ FD-397 submitted to the Bureau.
5. ☒ A suitable photograph ☒ is ☐ is not available.
Date photograph was taken 8-27-70
6. ☐ Subject is employed in a key facility and _____ is charged with security responsibility. Interested agencies are _____

7. ☒ This report is classified ~~Confidential~~ 1 because
(state reason)
data received from source if disclosed, could reasonably result in the identification of a source of continuing value and compromise future effectiveness thereof.

8. ☐ Subject previously interviewed (dates) _____
☐ Subject was not reinterviewed because (state reason)

9. ☐ This case no longer meets the ☐ Security Index ☐ Agitator Index criteria and a letter has been directed to the Bureau recommending cancellation.
10. ☐ This case has been reevaluated in the light of the ☐ Security Index ☐ Agitator Index criteria and it continues to fall within such criteria because (state reason)

11. ☒ Subject's SI card is tabbed ☐ Priority I ☒ Priority II ☐ Priority III.
☒ Subject's activities warrant such tabbing because (state reasons)

Subject was Minister of Information for the National Committee to Combat Fascism, a front group of the BPP, in Omaha. Subject was arrested and charged with conspiracy to commit murder in connection with the 8-17 bomb slaying of Officer MINARD. Subject has on many occasions openly advocated the overthrow of the U. S. Government.

**UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION**

~~CONFIDENTIAL~~

Copy to: 1-Secret Service, Omaha, Nebraska
1-113th Military Intelligence Group, Omaha, Nebraska
1-Alcohol, Tobacco and Firearms Division of IRS, Omaha

Report of: DAVID M. HAYES
Date: February 22, 1971

Office: OMAHA

Field Office File #: 157-421

Bureau File #: 157-11449

Title: DAVID LEWIS ANDREW RICE

Character: RACIAL MATTERS - BLACK PANTHER PARTY

Synopsis: RICE identified as Minister of Information of the Omaha National Committee to Combat Fascism. RICE the author of various articles appearing in various Omaha newspapers. Articles set forth. RICE arrested in connection with the 8-17-70 bomb slaying of Omaha police officer. Newspaper articles concerning this incident set forth.

- P* -

DETAILS

The "Omaha World Herald", a daily Omaha, Nebraska, newspaper in it's August 11, 1969, edition, carried an article entitled "Militants Seek Police Control". According to this article DAVID RICE, age 22, leader of the newly formed National Committee to Combat Fascism (NCCF) stated that the NCCF was formed to replace the disbanded chapter of the Black Panther Party and will work in coalition with the Black Panther Party in Kansas City.

United Front Against Fascism newsletter "Freedom By Any Means Necessary", a local publication of the UFAF in issue one, dated October 24, 1969, described the UFAF as an Organization of Revolutionary Black People which was formed after the disbandment of the Omaha Chapter of the Black Panther Party by the National Office of the Black Panthers. This newsletter stated further "Members of the

Excluded from automatic
downgrading and
declassification

NW: 15202 DocId: 70000880 Page 74

DECLASSIFIED
BY SP4 JRM-JAC

~~CONFIDENTIAL~~

OM 157-421

UFAF are working under jurisdiction of the Kansas City Chapter of the BPP."

A characterization of the Black Panther Party (BPP) appears in the appendix attached hereto.

The UFAF newsletter "Freedom By Any Means Necessary", issue 17, dated March 3, 1970, stated that the United Front Against Fascism has changed it's name to National Committee to Combat Fascism (NCCF).

The following article appeared in the "Omaha Star", a weekly Negro publication in Omaha, Nebraska, on August 20, 1970:

Community Dialogue



"Rap On"

COMMUNITY DIALOGUE relates the views of interested citizens of our community to current problems and goals of the Omaha Black community. Relevant questions are prepared by staff members of the Omaha STAR. Written comments or rebuttals of views expressed in this column are welcomed and will be published as dictated by sound editorial discretion.

The following views were solicited from David Rice, Minister of Information, Nebraska Committee to Combat Racism.

Question: What do you think about Black men dating white women?

Answer: In my opinion, Black men need to be judged by the manner in which they function in the Black community. Men and women should be able to relate to each other without having to have people go into their personal affairs.

I prefer to develop relationships with sisters rather than white women. The reason being that I have more I can share with Black women. Like we experience the same kinds of problems on a regular basis. I am a revolutionary, and here, there are still a lot of sisters who cannot dig Revolution. They are more concerned about fine cars and money. So when confronted with a lot of love or just plain coldness. And I am perturbed at being treated as some alien by sisters, when my Brothers and Sisters that are revolutionary for and probably will die for. So, in the analysis, if a woman is willing to accept me and I dig her, we can develop a relationship. I don't particularly care at

One thing the sisters do not understand is that many white women admire and idolize revolutionary or merely militant Black men because they need someone they can look up to and respect. Certainly, the American white man has offered his female counterpart nothing close to being deserving of respect.

Also, many of the sisters go up under so many airs, wigs, make-up, etc. that they offer a Black man little more than a copy of the white woman.

Finally, I know that some Black men have had a history of treating sisters like dogs, and the sisters must get tired of it. But Black people ought to be able to accept Blacks.

Question: Do you Panthers really mean "Freedom by any means necessary?"

Answer: Yes, as a matter of fact, very shortly the situation in this country is going to develop into extensive armed struggle. This armed conflict is already taking place, on a small scale, even here in Omaha.

We believe that organized violence is necessary. But we will not take part in or encourage unorganized rioting. All it can result in, at this point in time, is mass injury and/or death to Black people. I'm of the opinion that bricks are not much of a match for guns.

David L. Rice

The Omaha Star

Thursday August 20, 1976

Vol. 32 - No. 6

OM 157-421

The following article written by DAVID LEWIS RICE appeared in the April 11, 1970, issue of the Black Panther paper:

of L. 3000
of L. 3000

The people here have traditionally been crisis oriented and known for their unique ability to react to crises and simmer down in an instant cool-off. But we of the

415 Society

pression will create resistance that the people will fight to and through 'disorder' put in order. 78

bringing a Town Hall meeting to throwing merchandise every which way. Then, they went to Malvern, where they were met by the mayor and the so-called Public Safety Director, the mayor, every shock's jewelry, busted out the office, he and his sidekick were from display window, and liberated verbally backed up against the wall numerous waiters and other art-people. That included some of the quichest that only two of them young Blacks that had been beaten were caught. Yesterday, two more by the pigs at the Saturday night love cocktails, just missed the auditorium incident, their parents, First National Bank and a down-

a couple of NCCF members, and town drugstore. other feed-up folks from the community. The group, led mainly by 15, "We, the people, are going to Ed Pondexter and Erle Cham—see to it that oppression and re- bery's demanded that there be a prison become a thing of pig line-up to enable the victims the past; that our oppressors and of the aud-itorium blood bath to repressors remove themselves as identify the guilty pigs and bring obstacles to our freedom and love charges against them. or get kicked dead in the pits,

Since Tuesday, there have been that, from city to city, the tide of a minimum of thirteen bomb threats, the people's Revolution is going to downtown. These bomb threats have over the holiday needs of all Death resulted in the evacuation of such minstrels who have ever raised places, as: Interim City Hall. The their hands against the people---first National Bank, Central High and the lives, liberty, and happiness. On Wednesday, a group of plianess of the people."

about a hundred-and-fifty Black students hit Brandeis, Penny's and Woolworth's, tearing down displays, pushing over counters, and David L. Rice/NCCF

ALL POWER TO THE PEOPLE
Comrade Cecil Robinson

OM 157-421

The following article appeared in the West Omaha
and Dundee Sunth, a weekly local Omaha, Nebraska, paper:

Panthers plan to don donkey outfits

By TOM GITTER

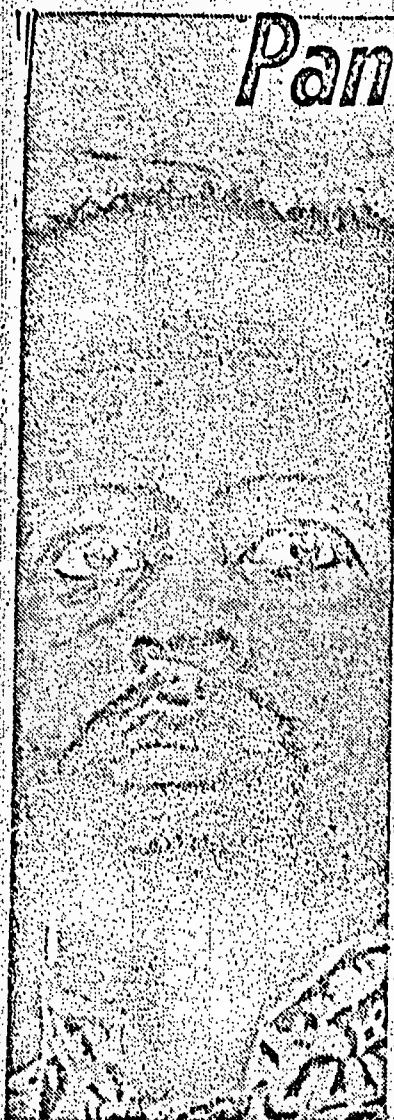
WHEN DOUGLAS County Democrats assemble for their post-primary convention on June 4, they'll find four of their delegates are men active in the Black Panther movement in Omaha.

The four got into the party machinery in the American way: They filed for election and won the popular vote in their precincts.

But their decision is not based on a desire to "work within the system." A spokesman, David Rice, put it this way:

"The fact that we filed doesn't mean we have any faith in the present system of this country—but as long as we have this system we will use elements of the system to bring it down and make preparation for the revolutionary process and the replacement of the current system to meet the needs of the people and make the phrase 'all power to the people' a reality."

Their election was a surprise to party officials. Democratic



RICE
... Deputy minister of information.

WEST OMAHA & DUNDEE SUN
Omaha, Nebraska
5-21-70

County Chairman Robert Vondrasek learned about it from the Sun. He said he had no objection. "Unless the civil rights are stripped from someone for committing a felony," he said, "we have no right to deny anyone a seat."

Rice, 2816 Parker St., is deputy minister of information for the Nebraska Chapter of the National Committee to Combat Facism (NCCF). Headquartered at 3508 N. 24th St., the NCCF is the descendant of a group formerly known as the United Front Against Facism (USAF).

Rice said NCCF has been officially recognized by the national headquarters of the Black Panther Party in Oakland, Calif.

In the May 12 primary Rice was elected as a delegate to the Democratic County Convention from the eighth precinct of the First Ward. He received 43 votes.

Also elected from Ward 1 were NCCF deputy chairman Edward Poindexter, representing the 14th precinct with 33 votes; NCCF defense captain Frank Peak, who received 24 votes; and NCCF party member William Peak, who gathered 20 votes. Both Peak brothers ran in the 21st precinct.

The Sun questioned Rice about the primary election and the approaching convention.

Previous to the interview, William Peak had been arrested by police on a charge of carrying a concealed weapon. Poindexter and Frank Peak were raising bail for William and were not available for the interview.

Rice said, "We went down to the Election Commissioner's office to file our names to get on the ballot about a week before the deadline.

"Although there was a little conferring among the people down at the election office, no one gave us any trouble. They acted surprised, but they probably figured it was rather futile anyway."

Asked why the NCCF members filed, Rice replied, "For one thing, we didn't think we were going to win, but we thought we would try it as a political experience."



WILLIAM PEAK
... Party member.

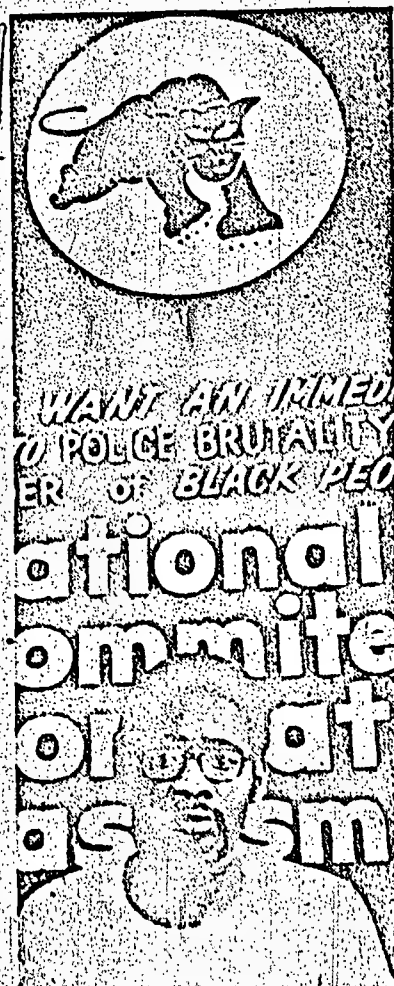
"None of us were familiar with what it was all about, but we thought if we did win it would be another tool for us to use to expose the nature of the two-party system."

Rice continued, "Our presence is not going to make a meaningful convention. We would have to have all kinds of numbers to make it meaningful. We'll be there to expose the Democratic Party for what it is."

"It is our intention to do whatever we can to see the convention cannot function in its normal manner of being able to railroad through persons and platforms into the political sphere without the common people having anything to say."

"In the course of educating the people we are trying to show the people that government does not function for the people. When we start to talk about the processes of the Democrat and Republican parties, having been to the convention, we'll be able to talk very clearly and give the people knowledge and insights we could not give them without having attended the convention."

Why did they file as Democrats?



POINDEXTER

... Deputy chairman.

"In Omaha there are people involved in the Young Democrats who have shown a certain amount of progressivism," Rice said.

"We figured that if we could do anything at all to educate these reformists to the revolutionary process we would have a better chance in the Democratic Party rather than the Republican Party."

Rice said the NCCF delegates intend to contact other delegates to form a power base to prevent "railroading of platform" and "putting people into the state Democratic machine." He

would not elaborate on other strategy.

According to Rice, involvement of NCCF in political organizations is not completely new. "This particular action of filing for the convention is part of a program we call 'Operation Duck,'" he said.

"The program got its name from the fact that whenever the NCCF shows up at meetings where public officials are speaking, the officials usually 'duck out' or get so verbally frazzled they can't answer questions."

Rice criticized media coverage of county convention elections. He said, "This part of the election was completely ignored by the news media. This was indicated by that fact that I was the only one who filed in my district and Ed Poindexter was the only one who filed in his district."

"A lot of people I talked to didn't even know such posts existed. It seemed like someone was in cahoots with the news media to sneak something over on the people—and it worked."

"Even when the election was over the media did not publish the results of the county-convention delegates. But then I suppose it would be upsetting for the people of Omaha to learn the NCCF had infiltrated the county Democratic convention. It would be like telling them the NCCF had members infiltrating the Ak-Sar-Ben Ball."

Democratic Chairman Vondrasek said it's true there is apathy about county convention elections. Out of 768 seats available to the Democratic convention, only 377 delegates were elected May 12. County officials can appoint others, although Vondrasek does not plan to do so.

The Democratic convention

is scheduled for 7:30 p.m. June 4 in Courtroom No. 1 of the County Courthouse. Vondrasek, an attorney, plans to resign because of "the press of business."

The Republican convention, chaired by James L. Paxton, Jr., will begin at 8:30 p.m. on the same date at the Fontenelle Hotel. Only 449 of the authorized 963 delegates were elected May 12. Paxton said ward chairmen may certify names to fill vacancies.

Also on June 4, the American Party convention will begin at 8 p.m. at the Blackstone Hotel.

OM 157-421

On June 2, 1970, the following article appeared in the Benson High News, Benson High School, Omaha, Nebraska, discussing the visit of DAVID RICE to their school:

Black Panther Rice Visits Benson, Excites Controversy, Comment from Pupils, Teachers

Benson students should be "made to understand that the school belongs to the students and their parents," according to David Rice in an article published in the National Council for Combatting Facism (NCCF) "People's Newsletter." An employee at GOCA, the author excited controversy by his recent visit to Benson.

Don Knauss' psychology classes were completing research projects for class presentation. Wendy Brown '70, whose project was on racism and black militancy, requested that Rice come to her class as a guest speaker.

Rice 'Stimulates Discussion'

"He was invited basically because he is a member of the Panthers, and relates to young people well," commented Wendy. "I thought he could get people to think, because they would hear things they weren't expecting to hear," she added. "I wanted to stimulate some discussion."

After much consideration, Eugene Skinner, Director of Community Relations for the Public Schools, agreed to allow Rice to speak to the class. Despite Skinner's approval, the Benson administration still disapproved of the project.

Rice responded by an article in the NCCF Newsletter in which he stated his intention to visit Benson "with or without (the Administration's) say-so." Rice later declined to state what methods he would have used to gain entrance, saying that he would reserve the strategy for possible later use.

Attendance Optional

Because of the controversial nature of the topic Knauss told his students that if they did not show up for the class they would not be counted absent. He also opened the door to anyone who wished to visit the class.

When Rice was told of this policy, he stated that this made the teaching "inauthentic". He declared that because of this action the teacher "was guilty of the same racism and disregard for students' rights as the administration I criticized."

Davey: 'Reiterating Marx'

Knauss' reaction was, "What is 'free' if you tell a student he has to come to class and has to listen to a speaker." He further stated that if a teacher spoke in the same manner he would not make the students listen either.

Although the original topic was "racism," Rice spoke on the topic of

"student power," paralleling school policies to those on a national level. Government teacher Charles Davey was of the opinion that "He was reiterating Marxian principles."

One of the students in the class, Mary Carter '70, stated, "I felt that many of the things he said were true, but the way he said it alienated many." This alienation was due to Rice's use of obscenities during the course of his speech.

Rice's answer was, "The people who criticized how I said what I did need to grow up."

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BENSON HIGH NEWS
Benson High School
Omaha, Nebraska
6-2-70

OM 157-421

On August 17, 1970, a bomb exploded at an abandoned residence in Omaha, killing an Omaha police officer.

On August 24, 1970, Public Safety Director AL PATTAVINA, advised that DAVID RICE had been charged with conspiracy to commit murder in connection with the MINARD bombing. PATTAVINA advised that several other people have also been charged and arrested in connection with this matter, however, RICE was in the custody of the Omaha Police Department.

Acting on information received from confidential source, the Omaha Police Department conducted a raid at 2816 Parker Street, Omaha, residence of DAVID RICE and during the search of his residence found one case of dynamite, a supply of blasting caps, and three rifles. Based on this evidence the Douglas County Attorney's Office issued a felony warrant charging RICE with possession of an explosive device.

Local authorities were unable to locate RICE and on August 25, 1970, a Federal warrant was issued charging RICE with violation of Title 18, United States Code, Section 1073, Unlawful Flight to Avoid Prosecution.

On August 27, 1970, DAVID RICE surrendered to the Omaha Police Department and the following article appeared in the "Omaha World Herald":

David Rice Surrenders In Minard Bomb Case

Key Suspect 'Voluntarily' Made Choice

David L. Rice, one of two key suspects sought in the Patrolman Larry D. Minard death, surrendered to police Thursday morning and was held on \$25,000 bond. The other wanted person, Duane C. Peak, 16, remained at large.

Meanwhile, police questioned the first white person arrested in the Aug. 17 bombing death of Minard. Norma Aufrecht, 22, of 4358 Lafayette Avenue, was booked Wednesday night on suspicion of conspiracy to commit murder and on suspicion of being an accessory after the fact.

Rice made no statement.

He arrived at Police Headquarters about 10:57 a.m. in a car containing Al Pattavina, public safety director; David Herzog, Rice's attorney; Sgt.

Other stories, Pages 2, 8.

Pitmon Foxall and Patrolman Marvin McClarty, police community relations officers, Ernest W. Chambers and a Negro minister who was not immediately identified.

Two cars containing other blacks followed.

'Individual Choice'

Legislative candidate Chambers, spokesman for Rice, said Rice surrendered at the police community relations office, 2402 North Twenty-fourth Street, by "individual choice," not "coercion or pressure."

Chambers said Rice surrendered to Foxall and McClarty because they are the "only officers he had confidence in for his safety."

Omaha World-Herald
Omaha, Nebraska
8-27-70
Metropolitan

Chambers declined to say how he became involved in the surrender, but said he hadn't been harboring Rice, who had been sought since police said they found dynamite in his house, 2816 Parker Street, late Saturday night.

Minard was killed when a suitcase of dynamite exploded when he and other officers answered a false call for help at a vacant house.

Pattavina said Rice declined to answer questions.

Rice, 23-year-old information minister of the militant National Committee to Combat Facism, was taken before Municipal Court Judge D. B. Anderson at the old police station.

Rice Is Charged

Rice was charged with possession of explosives.

Deputy County Atty. Arthur D. O'Leary recommended a bond of \$100,000 and Herzog objected, saying that "would be no bond at all."

Herzog said Rice hadn't left the state while being sought on a federal fugitive warrant, had turned himself in voluntarily and there was no evidence he was fleeing.

O'Leary said he had no evidence that Rice had left the state and Anderson set bond at \$25,000 after saying:

"I don't want to be carried away with what happened. They've been a long time finding him. The whole city knew they were looking for him."

Rice was taken to county jail.

On Sunday, Deputy Police Chief Glen Gates said Rice had



Rice, center, approaches Police Headquarters . . . McClarty, left, and Foxall.

World-Herald Photo

been charged in a warrant with conspiracy to commit murder.

Aufrecht Bond \$1,000

Miss Aufrecht, arrested in her home, was the fourteenth person arrested in the case. The others are Negroes. Ten have been released because "there was no evidence to hold them," O'Leary said.

Police said Ed Poindexter, 25,

head of the NCCF was in Miss Aufrecht's house when officers arrived. Poindexter was one of the 10 earlier arrested and released.

She was first held on \$5,000 bond but it was reduced to \$1,000 at O'Leary's request. She was taken to city jail.

Police Capt. Bruce Hartford said Miss Aufrecht was acquainted with Rice. He declined further details.



—World-Herald Photos

Waiting for elevator in police station lobby . . .
Rice, hands in pockets, and Foxall, arms folded.
Chambers is in background in dark, sleeveless shirt.

OM 157-421

The following articles concerning DAVID RICE have
appeared in the "Omaha World Herald":

Poindexter, Rice Deny Guilt In Bomb Death of Patrolman

By Robert Hoig

Two members of the National Committee to Combat Fascism (NCCF) pleaded not guilty to murder charges Tuesday in the Aug. 17 bomb slaying of Patrolman Larry Minard.

Presiding Municipal Court Judge Paul J. Hickman ordered Edward Poindexter, 25, and David L. Rice, 23, held without bond on charges of first-degree murder.

Hickman set bond at \$50,000 each on additional charges of conspiracy to commit murder filed against the two in the Minard case.

Rice, information minister of the militant NCCF, was dressed in blue jeans, green denim-type shirt and sandals as two detectives led him into Hickman's courtroom shortly after 2 p.m.

Bond Argument

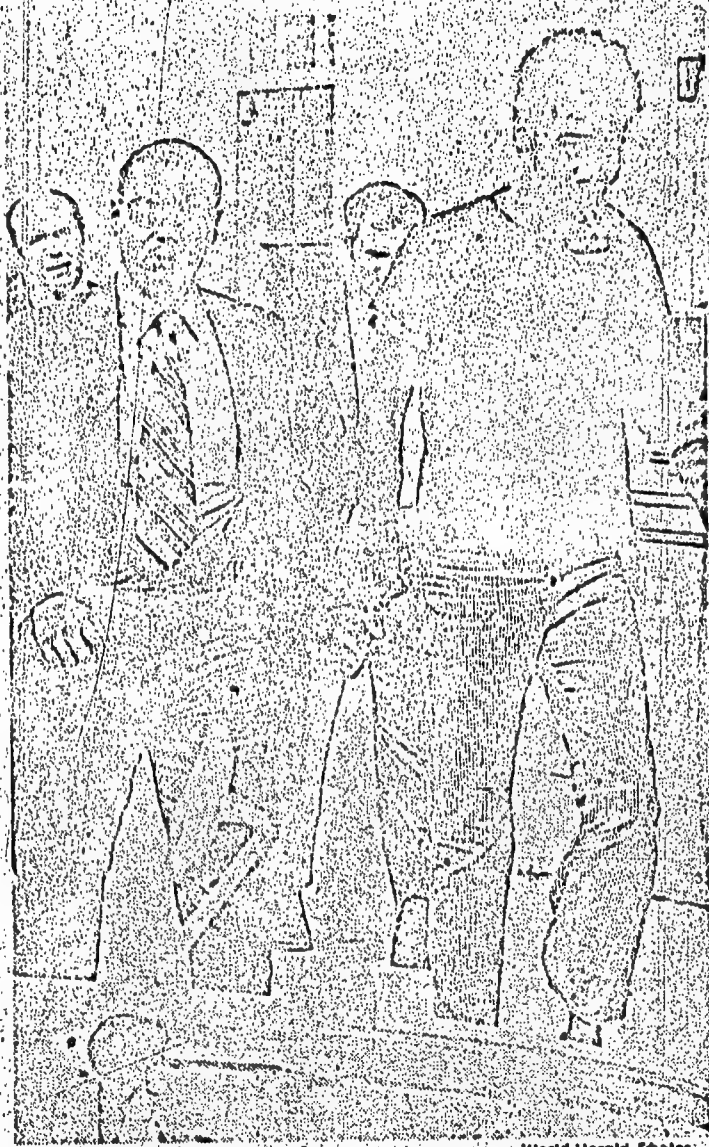
Standing before Hickman, Rice looked alternately at his attorney, David Herzog, and at Deputy County Atty. Sam Cooper as the two men argued over the question of bond.

Herzog said legal precedents exist in the county for the release on bond of a person charged with first-degree murder. He added that Rice has roots in the community and said that Rice would not attempt to flee before trial.

Cooper said Rice should be kept in custody for society's protection because of the "degree of premeditation" and the violence of the booby-trap killing of Minard.

"I have yet to set a bond in a first-degree murder case," Hickman said as he ordered Rice held.

Cooper said the state will move for a "speedy" preliminary hearing to determine if Rice must stand trial in District Court. He said he would notify Herzog "within 48 hours" when the prosecution can be ready.



—World-Herald photo.

After arraignment . . . Poindexter, with cigarette, is led to waiting car by Dailey.

Drinking Charge

During the court appearance, Rice also was arraigned on a minor crime charge — drinking in a public street.

Rice pleaded not guilty in the Aug. 8 incident and was ordered to stand trial in Municipal Court at 9 a.m. Oct. 15. The bond of \$75 was continued.

Poindexter, who was dressed in a loose-fitting black shirt and blue-striped pants, was brought to court after Rice was taken from the building.

The NCCF's Nebraska chairman stood mute as Public Defender Thomas M. Kinney entered his not guilty plea.

Later, Poindexter said in a brief courtroom interview with a reporter that "I am innocent and I have plenty of witnesses to prove it."

Search for Woman

Poindexter said he is attempting, through counsel and others, to find a woman who can help him establish his whereabouts at the time Minard was slain.

Cooper and Kinney presented the same arguments on bond to Hickman, who said that "a

defendant can be held in custody under the Nebraska Constitution where the "proof is evident or the presumption great" of the person's guilt.

"Do you contend the evidence is great?" Hickman asked Cooper.

"Yes, I do," Cooper replied.

Handcuffed to Detective Sgt. Aaron Dailey, Poindexter was led from the old police headquarters building to a waiting unmarked car for his return to county jail.

Clenched Fist

As the car drove south on Eleventh Street, Poindexter raised a clenched fist — the black power salute — toward reporters and photographers.

Rice, through his attorney, and Poindexter, told a reporter they have no complaints about their treatment while in police custody.

Cecil's Hearing To Be Postponed

The preliminary hearing for Robert Elmer Cecil, 18, charged with possession of a sawed-off shotgun, has been postponed until 10 a.m. Tuesday, Asst. U.S. Dist. Atty. William Schaphorst said Wednesday.

The hearing originally had been scheduled Wednesday. Schaphorst said the hearing, to be held before U.S. Commissioner Richard Peck, was delayed at the request of Cecil's attorney.

Cecil is accused of holding a loaded, sawed-off shotgun inside the headquarters of the National Committee to Combat Racism at 3508 North Twenty-fourth Street when authorities entered the building last month during the investigation of the Aug. 17 bombing death of policeman Larry D. Minard Sr.

Suspect Peak Held in Fremont

World-Herald News Service

Fremont, Neb. — Fremont police have been put on special alert, "just in case of trouble," Police Chief Fred Whitt said Tuesday night.

Whitt said the action was taken because Duane Peak, charged with murder in connection with the bomb death of Omaha Policeman Larry D. Minard, is being held in Dodge County jail in downtown Fremont.

Peak, 16, was transferred from Omaha to the Fremont jail Monday.

Dodge County Sheriff Homer Brainard said Peak is in a cell by himself and is not in contact with 15 other prisoners in the jail.

"We're keeping a close watch on the elevator," Brainard said, referring to the only access to the jail on the upper floor of the Courthouse.

Brainard said there have been no visitors allowed in the jail since Peak arrived.

Case Continued For David Rice

A case involving alleged drinking on the street by David L. Rice has been continued indefinitely, City Prosecutor Gary Buccchino said Thursday.

Rice, 23, of 2816 Parker Street, an officer of the National Committee to Combat Fascism, is being held in county jail without bond while awaiting a District Court trial on a first-degree murder charge in the bomb-slaying of Patrolman Larry D. Minard.

Buccchino said Rice's attorney, David Herzog, requested the continuance on the drinking charge because Herzog is out of town. The case was to have been heard Thursday. No new date has been set, Buccchino said.

Police said they arrested Rice Aug. 8 near Twenty-fourth and Maple Streets after they saw him standing on a sidewalk and drinking a can of beer.

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10-16-70
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157-421-70

Peak Testifies in Minard Case

2 to Stand Trial

By Robert Hoig

Edward A. Poindexter and David L. Rice were ordered to stand trial on murder charges in the Aug. 17 booby-trap slaying of a patrolman after Duane Christopher Peak changed his testimony Monday afternoon.

Peak, 16, said Rice and Poindexter gave him a suitcase containing three sticks of dynamite and a triggering mechanism.

Peak said he later planted the booby trap in the doorway of a vacant house at 2867 Ohio Street and made the telephone call to 911, the police emergency number, that brought officers. Patrolman Larry D. Minard was killed and seven officers were injured when the device exploded.

Municipal Court Judge Simon A. Simon said County Atty. Donald Howles and his chief deputy, Arthur D. O'Leary, presented enough evidence to warrant ordering Rice and Poindexter to stand trial in District Court.

Simon denied bond for Rice, 23, local information minister of the militant National Committee to Combat Fascism (NCCF), and for Poindexter, 25, NCCF local chairman, on the first-degree murder count filed against both.

Bonds Continued

Simon continued a \$50,000 bond for each set on charges of conspiracy to commit murder.

Rice's bond of \$25,000 was continued on a charge of possession of an explosive substance.

Poindexter appeared relaxed during the day-long preliminary hearing, sitting alternately at the witness stand and at a south wall of the courtroom on the third floor of City Hall.

Rice, a book on evidence in

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Omaha World-Herald
Omaha, Nebraska
9-29-70
Sunrise

his lap, spent much of his time jotting notes on a tablet of legal-sized paper.

Neither displayed any apparent emotion as Simon issued his ruling.

Peak testified briefly at the closing of the morning session that he could not recall talking with Poindexter about the Minard case or remember other details asked of him by O'Leary.

Search Testimony

The afternoon session began with testimony from Sgt. Jack Swanson of the Police Department intelligence unit who testified that he and four other unit members searched Rice's residence at 2816 Parker Street about 10 p.m. Aug. 22.

Swanson said they found 14 sticks of dynamite, four electrical blasting caps, three rifles, one pistol and a six-volt battery.

No one was at home at the time of the search, Swanson testified.

Dr. Richard B. Wilson, a pathologist, then testified that Minard, 29, died of an "almost complete destruction of the brain." Dr. Wilson said it was his opinion that if the explosive device was on the floor, Minard would have been leaning over it when it went off.

Peak's sister, Theresa, started to testify but there was a brief recess to allow her to obtain an attorney.

Then abruptly, Peak was returned to the stand.

Peak admitted he was changing his testimony. He said that during the recess for lunch he had been visited by his attorney, Thomas Carey, his brother, Donald, 20, and his maternal grandfather, the Rev. Foster S. Goodlett.

Peak's hands trembled and his answers came in whispers.

"Did you see Edward Poindexter on Monday, Aug. 10?" O'Leary asked, repeating a question which had drawn a negative reply from Peak in the morning.

"Yes," Peak replied.

Peak said he met with Poindexter that day at NCCF headquarters at 3508 North Twenty-fourth Street.

"He called me outside and said he was going to show me how to make a bomb," Peak said.

Gray Suitcase

Peak, continuing his testimony, said that he, Poindexter and another NCCF member, Raleigh B. House, met about 9 p.m. that night at the home of a cousin, Frank Peak Jr.

Then, Duane Peak continued, he, Poindexter and House drove to House's home. Peak said House came out with a gray suitcase.

Peak said he and Poindexter took the suitcase and drove to Rice's house where Poindexter opened it.

"And what was in the suitcase when he opened it?" O'Leary asked.

"Dynamite," Peak said.

Peak testified Poindexter took all the sticks of dynamite from the suitcase except for three.

He said Poindexter "started making a triggering device" — using a railroad flashlight battery and a clothespin taped to the battery top.

Rolled Papers

Peak said Rice rolled some papers in a ball and placed the balls in the suitcase.

Poindexter, according to Peak's testimony, "wanted to trigger" the bomb that night. But Peak said there was trouble in obtaining a ride so the suitcase was left at Rice's.

Peak testified that the next day, a Tuesday, he met with Poindexter, Rice and Frank Peak at the latter's home.

Following that meeting, Peak testified, he and Poindexter went to 2867 Ohio Street "to look at the house."

Peak, who also is charged with first-degree murder, testified he met Poindexter again Friday night, Aug. 14, at the American Legion Club at Twenty-fourth and Parker Streets.



—World-Herald Photo.

Herzog . . . "No crime."

He said he did not see Poindexter or Rice until Sunday at NCCF headquarters at which time he asked Rice if he could pick up the suitcase.

Several Warnings

"He (Rice) asked me if Poindexter knew I was going to get it. I said yes," Peak testified.

Peak said he picked up the suitcase Sunday evening, taking it first to a home near Twenty-ninth and Lothrop Streets and then to the home of his sister, Delia Peak, near Nineteenth and Burdette Streets.

Peak testified that several times he warned people to "stay away" from the suitcase.

About 10:30 p.m., Peak testified, he was driven to an alley near Twenty-eighth and Ohio Streets. With him, he said, were Delia, the driver, and Willie Haynes, Roosevelt McCoy and "McCoy's girlfriend."

He said he walked alone with the suitcase up the alley.

"I put it in the house in the doorway," Peak testified.

He said he walked to the home near Twenty-ninth and Lothrop. From there, he said, he was given a ride to Delia Peak's home by a young woman who he said he knew only as "Pooky."

Peak said he borrowed a dime from Delia, walked to a pay telephone near Twenty-fourth and Lake Streets and telephoned police.

"I told them a woman was screaming in a house . . . at 2867 Ohio Street," Peak testified.

Then he went home to 4130 North Seventeenth Street, he said.

Asst. Public Defender Thomas Kenney, Poindexter's lawyer, asked for dismissal of the charges against his client on the ground that Omaha police had subjected Peak to "extreme psychological coercion" to get him to change his story.

"I don't agree because he talked to his grandfather and he talked with his lawyer," Simon said in overruling the motion.

"He was well represented," the judge added.

David Herzog, Rice's attorney, asked for dismissal of the charges against Rice because, among other things, the state "proved no crime" and did not show that Rice was responsible for any of the three charges against him.

Simon also overruled that motion.

'Good Student'

Herzog, in a plea for bond for Rice on the first-degree murder charge, gave Rice's history of community involvement, mentioning that Rice was a good student at Creighton Prep in the mid-1960s and that he had helped in many projects in the Negro community.

Knowles answered by saying "we are talking about the David Rice of today."

Cross-examining Peak, Kenney asked if "during the course

of the (police) interrogation did anyone ever mention the electric chair to you?"

"Yes," Peak replied.

Herzog asked Peak why he changed his story between morning and afternoon sessions.

"Weren't you reminded of a few things that could happen to you?" Herzog asked.

"Yes," Peak said.

'No Contact'

O'Leary said no member of the county attorney's staff talked to Peak during the recess.

Kenney asked if any of the six policemen who escorted Peak between the courtroom and the jail made any threatening statements or gestures and Peak replied they did not.

Lawyers Ask No Reporters

One request was withdrawn but two new ones were entered in District Court Tuesday by attorneys representing two men charged in the bomb slaying of Patrolman Larry D. Minard.

Lawyers for David Rice, 28, and Edward Poindexter, 26, asked that the press be barred from covering pretrial hearings of the two men.

Rice is charged with first-degree murder, conspiracy and possession of an explosive and Poindexter with first-degree murder and conspiracy.

Their motions before District Court Judge Donald J. Hamilton maintained that evidence will be offered in the pretrial hearings which should not be heard by prospective jurors.

If the press is not barred, the lawyers said, then newspapers, radio and television stations should be prohibited from printing or broadcasting the testimony or rulings.

David L. Herzog, attorney for Rice, withdrew a motion to allow Rice to give interviews to the press before the trial. Herzog said the reason for the withdrawal was to protect his client's right to a fair trial.

Judge Hamilton also received a request by Herzog and Asst. Public Defender Thomas Kenney, representing Poindexter, that the charges against the men be dismissed. They say that the preliminary hearing for the two defendants also should have been closed and that there was insufficient evidence to show that the two men were connected with the Aug. 17 killing.

Judge Hamilton gave Chief Deputy County Atty. Arthur D. O'Leary until Monday to decide if he wants to submit evidence.

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Omaha World-Herald
Omaha, Nebraska
11-24-70
Metropolitan

Rice Lawyer For Publicity About Client

By James Ivey

David L. Herzog, attorney for David L. Rice, accused in the bomb slaying of an Omaha policeman, asked the District Court Friday to allow publicity about his client while Rice is awaiting trial.

Herzog also asked the court's advice "as to what matter may be disseminated" to the news media.

Presiding District Judge Donald A. Hamilton said he expects to ask both Herzog and the county attorney's office to submit briefs on the matter.

Rice, 23, and Edward Poin-dexter, 26, are charged with first-degree murder and conspiracy to commit murder in the Aug. 17 killing of Patrolman Larry Minard. Rice also is charged with possession of an explosive.

'Permit Interview'

The motion filed Friday requests that Judge Hamilton permit Rice "to be interviewed, questioned and otherwise give answers to members of various newspapers, radio stations and television stations."

In another motion, Herzog has said that publicity given the case during the September preliminary hearing has deprived his client of the right to a fair trial when the case comes to the District Court.

Friday, Judge Hamilton denied motions by both men that they be freed. Attorneys for both had said there had been insufficient evidence at the preliminary hearing to show that a crime had been committed or that there was probable cause to believe the two men had committed it.

Tuesday Hearing

Judge Hamilton ruled that the matter had been brought up in the wrong legal form. A hearing with attorneys on a motion in which they had asked that the charges be dismissed has been set for Tuesday morning.

The hearing Friday was on writs of habeas corpus. The Tuesday hearing will concern legal moves called pleas of abatement.

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Omaha World-Herald
Omaha, Nebraska
11-20-70
Metropolitan

Minard Case Motions Fail

District Judge Donald J. Hamilton Wednesday overruled the latest motions by two men which would have dismissed charges against them in the bomb-slaying of an Omaha policeman.

David Rice, 23, and Edward Poindexter, 26, are charged with first-degree murder and conspiracy to commit murder in the Aug. 17 killing of Patrolman Larry Minard.

Rice also is charged with possession of an explosive.

Their latest motions attacked the death penalty, calling it cruel and unusual punishment. Under Nebraska law, in a jury first-degree murder trial, the jury sets the penalty.

The two men also have motions pending before the court which would require the county to submit to their attorneys evidence and results of scientific examinations made during the murder investigation.

Omaha World-Herald
Omaha, Nebraska
1-6-71
Metropolitan

OM 157-421

On February 11, 1971, the trial of RICE and POINDEXTER, originally set for February 16, 1971, was delayed until March 22, 1971, because of the request of the Public Defender FRANK MORRISON, who recently entered the case as a defense lawyer for EDWARD POINDEXTER. FRANK MORRISON is the former governor of the State of Nebraska and was recently appointed Public Defender for Douglas County and requested a delay in the trial so that he could familiarize himself with the case.

APPENDIX

BLACK PANTHER PARTY (BPP),
also known as
Black Panther Party for Self Defense

According to the official newspaper of the BPP, the BPP was started during December, 1966, in Oakland, California, to organize black people so they can take control of the life, politics, and the destiny of the black community. It was organized by BOBBY G. SEALE, BPP Chairman, and HUEY P. NEWTON, Minister of Defense, BPP.

The official newspaper, called "The Black Panther," regularly states that the BPP advocates the use of guns and guerrilla tactics in its revolutionary program to end oppression of the black people. Residents of the black community are urged to arm themselves against the police who are consistently referred to as "pigs" who should be killed.

The newspaper, in its issue of September 7, 1968, had an article by the then Minister of Education, GEORGE MURRAY. This article ended with the following:

"Black men. Black people, colored persons of America, revolt everywhere! Arm yourselves. The only culture worth keeping is revolutionary culture. Change. Freedom everywhere. Dynamite! Black power. Use the gun. Kill the pigs everywhere."

The BPP newspaper issue of October 5, 1968, had an article introduced with the following statement: "We will not dissent from American government. We will overthrow it."

DAVID HILLIARD, Chief of Staff, BPP, in a speech at the San Francisco Polo Field on November 15, 1969, said "We will kill Richard Nixon."

DAVID HILLIARD, in the "New York Times," issue of December 13, 1969, was quoted as follows: "We advocate the very direct overthrow of the government by way of force and violence."

APPENDIX

~~CONFIDENTIAL~~

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APPENDIX

BLACK PANTHER PARTY (BPP)
also known as
Black Panther Party for Self Defense

In the issue of April 25, 1970, the BPP newspaper had an article by Minister of Culture EMORY DOUGLAS as follows:

"The only way to make this racist US government administer justice to the people it is oppressing is...by taking up arms against this government, killing the officials, until the reactionary forces..are dead, and those that are left turn their weapons on their superiors, thereby passing revolutionary judgment against the number one enemy of all mankind, the racist U.S. Government."

The BPP Headquarters is located at 1046 Peralta Street, Oakland, California. Branches of the BPP, and Committees to Combat Fascism, under control of the BPP, have been established in various locations in the USA.

APPENDIX

~~CONFIDENTIAL~~



*In Reply, Please Refer to
File No.*

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
Omaha, Nebraska
February 22, 1971

Title	DAVID LEWIS ANDREW RICE
Reference	Report prepared at Omaha, Nebraska, dated and captioned as above

All sources (except any listed below) whose identities are concealed in referenced communication have furnished reliable information in the past.

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

UNITED STATES GOVERNMENT

Memorandum

TO : Director, FBI (Bufile- 157-11449)

DATE: 5/27/71

FROM : SAC, OMAHA (157-421)

SUBJECT: DAVID LEWIS ANDREW RICE
RM - BPPCards UTD
Cards Sent 00
6-9-71OK On
Unavailable Section
RC

Re: Omaha report of SA DAVID M. HAYES, 2/22/71.

☐ It is recommended that a Security Index Card be prepared on the above-captioned individual.☒ The Security Index Card on the captioned individual should be changed as follows (specify change only):

Name			
Aliases		<input type="checkbox"/> Native Born <input type="checkbox"/> Naturalized <input type="checkbox"/> Alien	Tab <input type="checkbox"/> Priority I <input type="checkbox"/> Priority II <input type="checkbox"/> Priority III
<input type="checkbox"/> ANA <input type="checkbox"/> AWC <input type="checkbox"/> BNT	<input type="checkbox"/> BPP <input type="checkbox"/> COMMUNIST <input type="checkbox"/> JFG	<input type="checkbox"/> MIN <input type="checkbox"/> NOI	<input type="checkbox"/> PLP <input type="checkbox"/> PPA <input checked="" type="checkbox"/> Miscellaneous (Specify) Imprisoned
<input type="checkbox"/> PRN <input type="checkbox"/> SDS	<input type="checkbox"/> SNC <input type="checkbox"/> SPL	<input type="checkbox"/> SWP <input type="checkbox"/> WWP	"PR"
Date of Birth	Place of Birth	Race	Sex <input type="checkbox"/> Male <input type="checkbox"/> Female
Business Address, Name of Employing Concern and Address, Nature of Employment, and Union Affiliation, if any. <i>unemployed</i>		Residence Address Nebraska Penal and Correctional Complex, Box 111, Lincoln, Nebraska EX 101 REC-52 157-11449-11	
Key Facility Data		JUN 1 1971	
Geographical Reference Number		Responsibility	

REGISTERED MAIL

② - Bureau (RM)

1 - Omaha

DMC

(3)

ENCLOSURE
JUN 1 1971ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8-5-80 BY SP4 JRM-JAC

RESEARCH SECTION

RACIAL INT. SECT.



In Reply, Please Refer to
File No.

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Omaha, Nebraska
May 27, 1971

SUBJECT: **DAVID LEWIS ANDREW RICE**

CHARACTER:

REFERENCE: **Omaha FD 376 dated 2/22/71**

Referenced communication contained subject's residence and/or employment address. A recent change has been determined and is being set forth below (change only specified):

Residence: **Nebraska Penal and Correctional Complex,
Lincoln, Nebraska**

Employment:

Copy to SS
by routing slip for
☒ info ☐ action
date 6-7-71
by WPH/271

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8-5-80 BY SP4 JRM-SAR

F B I

Date: 5/27/71

Transmit the following in _____
(Type in plaintext or code)Via Airtel _____
(Priority)

Mr. Tolson	_____
Mr. Sullivan	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Brennan	CD
Mr. Callahan	_____
Mr. Casper	_____
Mr. Conrad	_____
Mr. Dalbey	_____
Mr. Felt	_____
Mr. Gale	_____
Mr. Rosen	_____
Mr. Tavel	_____
Mr. Walters	_____
Mr. Soyars	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

TO: DIRECTOR, FBI (157-11449)

FROM: SAC, OMAHA (157-421) (C)

SUBJECT: DAVID LEWIS ANDREW RICE
RM - BPP
OO: Omaha

Re Omaha report of SA DAVID M. HAYES, 2/22/71.

Enclosed for the Bureau are five (5) copies of an LHM regarding above captioned individual and two copies of FD 376.

One copy of LHM has been furnished locally to U.S. Secret Service.

Omaha has placed a stop with the warden of the Nebraska Penal and Correctional Complex at Lincoln, Nebraska, to immediately notify the Omaha Division of the subject's release from prison or any major change in status.

UACB Omaha will not verify subject's residence every 90 days on FD 154 inasmuch as the subject is on the Security Index. Omaha will on a yearly basis submit letter to Bureau verifying subject's incarceration.

ENCLOSURE

- 2 - Bureau (Enc. 7) (RM)
1 - Omaha

DMH:cas
(3)

INDEXED 154 55
DATE FORW. 6-2-71
HOW FORW. 15
BY 1 ME 1000

REC-53
EX-113

2 JUN 4 1971

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8-5-80 BY SP 4 JRM-SAC

NW: 15205 DocId: 37000872 Page 105

Approved: _____
Special Agent in Charge

Sent _____ M Per _____



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

WASHINGTON, D.C. 20535

In Reply, Please Refer to
File No.

May 27, 1971

Director
United States Secret Service
Department of the Treasury
Washington, D. C. 20220

Dear Sir:

The information furnished herewith concerns an individual who is believed to be covered by the agreement between the FBI and Secret Service concerning Presidential protection, and to fall within the category or categories checked.

1. ☐ Has attempted or threatened bodily harm to any government official or employee, including foreign government officials residing in or planning an imminent visit to the U. S., because of his official status.
2. ☐ Has attempted or threatened to redress a grievance against any public official by other than legal means.
3. ☒ Because of background is potentially dangerous; or has been identified as member or participant in communist movement; or has been under active investigation as member of other group or organization inimical to U. S.
4. ☐ U. S. citizens or residents who defect from the U. S. to countries in the Soviet or Chinese Communist blocs and return.
5. ☒ Subversives, ultrarightists, racists and fascists who meet one or more of the following criteria:
 - (a) ☐ Evidence of emotional instability (including unstable residence and employment record) or irrational or suicidal behavior;
 - (b) ☐ Expressions of strong or violent anti-U. S. sentiment;
 - (c) ☒ Prior acts (including arrests or convictions) or conduct or statements indicating a propensity for violence and antipathy toward good order and government.
6. ☐ Individuals involved in illegal bombing or illegal bomb-making.

Photograph ☒ has been furnished ☐ enclosed ☐ is not available
☐ may be available through _____

Very truly yours,

J. Edgar Hoover
John Edgar Hoover
Director

1 - Special Agent in Charge (Enclosure(s))
U. S. Secret Service , Omaha , Nebraska



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

Omaha, Nebraska

May 27, 1971

DAVID LEWIS ANDREW RICE

On Saturday, April 18, 1971, David Lewis Andrew Rice, age 23, was convicted by a jury in Omaha District Court on charge of first degree murder. Rice was sentenced to life imprisonment at hard labor and Judge Hamilton ordered Rice taken to the Nebraska Penal and Correctional Complex in Lincoln, Nebraska.

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

ALL INFORMATION CONTAINED
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DATE 8-5-80 BY SP4 JRM-JAR

UNITED STATES GOVERNMENT

Memorandum

TO : Director, FBI (Bufile- 157-11449)

FROM : SAC, OMAHA (157-421) (P)

DATE: 1/17/72

SUBJECT: DAVID LEWIS ANDREW RICE
EM - BPP

CATEGORY APPROVED
Place to make
~~NOTE CHANGE ON CARD~~
2-11-72

Re: _____

Recommend: ☒ ADEX Card ☐ ADEX Card changed (specify change only) ☐ Subject removed (succinct summary attached)

Name			
Aliases		<input type="checkbox"/> Native Born <input type="checkbox"/> Naturalized <input type="checkbox"/> Alien	Tab <input type="checkbox"/> Category I <input checked="" type="checkbox"/> Category II <input type="checkbox"/> Category III <input type="checkbox"/> Category IV
<input type="checkbox"/> AWC <input type="checkbox"/> BNT <input type="checkbox"/> BPP	<input type="checkbox"/> COMMUNIST <input type="checkbox"/> JFG <input type="checkbox"/> MIN	<input type="checkbox"/> NL <input type="checkbox"/> NOI <input type="checkbox"/> PLP <input type="checkbox"/> PPA <input type="checkbox"/> PRN <input type="checkbox"/> SDS <input type="checkbox"/> SPL <input type="checkbox"/> SWP <input type="checkbox"/> WWP	<input type="checkbox"/> SNC <input type="checkbox"/> SPL <input type="checkbox"/> WWP <input type="checkbox"/> Miscellaneous (Specify) _____
Date of Birth	Place of Birth	Race	Sex <input type="checkbox"/> Male <input type="checkbox"/> Female
Business Address, Name of Employing Concern and Address, Nature of Employment, and Union Affiliation, if any.		Residence Address	
		EX-115 REC-48 157-11449-13 JAN 21 1972	
Key Facility Data			
Geographical Reference Number		Responsibility	

2 - Bureau (RM)
1 - Omaha
ARD:dsa
(3)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8-5-80 BY SP4 JRM-SAN

RESEARCH SECTION
EXT. SEC.

SUMMARY OF ACTIVITIES

RICE attended Black Panther Party (BPP) meeting in Omaha during the summer of 1968, and one meeting of the BPP on 10/29/68. RICE, in August, 1969, was identified as the leader of a newly formed United Front Against Fascism (UFAF) in Omaha. UFAF was an organization formed to replace the disbanded BPP. RICE attended a UFAF conference sponsored by the BPP in Oakland, California, in July, 1969. Between November, 1969, and February, 1970, RICE was identified as Deputy Minister of Information of UFAF and during this period wrote articles for the UFAF newsletter and took part in functions of this organization.

RICE is the author of various articles appearing in various Omaha newspapers. RICE was arrested in connection with the 8/17/70 bomb slaying of an Omaha police officer.

On 4/18/71, RICE was convicted by a jury in Omaha District Court on the charge of first degree murder. RICE was sentenced to life imprisonment at hard labor. He is incarcerated at the Nebraska Penal and Correctional Complex, Lincoln, Nebraska.

Subject was carried as Priority II on the Security Index.

The next report or LHM in this matter can be expected to reach the Bureau on or before 2/22/72.

UNITED STATES GOVERNMENT

Memorandum

TO : Director, FBI (157-11449)

DATE: 2/29/72

FROM : SAC, OMAHA (157-421) (C)

SUBJECT: DAVID LEWIS ANDREW RICE
EM - BPP

REFERENCE: Omaha airtel to Bureau, 5/27/71, and Omaha FD-122 to Bureau, 1/17/72.

This letter is submitted in lieu of a report inasmuch as no pertinent data has been developed since date of referenced communication. FD-305 enclosed.

RESIDENCE:

☒ Subject's employment ☒ residence ☒ remains the same.

EMPLOYMENT:

Source: JAMES LYONS, Nebraska State Penal and Correctional Complex, Lincoln, Nebraska

☐ Subject's employment ☐ residence ☐ has changed to:

Source:

ACTIVITY:

The following security informants and established sources were contacted on the indicated dates and were unable to furnish any pertinent information regarding subject:

Informant

Date Contacted

Established Source

Date Contacted

JAMES LYONS, Nebraska
State Penal and
Correctional Complex,
Lincoln, Nebraska

11/26/71 and
2/22/72

REC-50

157-11449-14

Enc. 1

1 Bureau (Enc. 1) (RM)

1 - Omaha

ALN: dsa

NW: 15202 DocId: 70600880 Page 3

62 MAR 13 1972

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8-5-80 BY SP4 JRM

3 MAR 2 1972

EXT. INT. SEC.

1. ☒ Subject's name is included in the ADEX.
2. ☒ The data appearing on the ADEX Card are current.
3. ☐ Changes on the ADEX Card are necessary and Form FD-122 submitted to the Bureau.
4. ☒ A suitable photograph ☒ is ☐ is not available.
Date photograph was taken 8/17/70
5. ☐ Subject is employed in a key facility and _____ is charged with security responsibility. Interested agencies are _____
6. ☐ This report is classified _____ because
(state reason)
7. ☐ Subject previously interviewed (dates) _____
☒ Subject was not reinterviewed because (state reason) **he is currently serving a life sentence in the Nebraska State Penal and Correctional Complex, Lincoln, Nebraska, for first degree murder of an Omaha police officer. He was convicted and sentenced in April, 1971, at Omaha, Nebraska.**
8. ☐ This case no longer meets the ADEX criteria and a letter has been directed to the Bureau recommending cancellation.
9. ☒ This case has been reevaluated in the light of the ADEX criteria and it continues to fall within such criteria because (state reason) **of subject's past affiliation with the Black Panther Party at Omaha and his advocacy of violence and the fact that he was convicted of first degree murder of an Omaha police officer with a bomb.**
10. ☒ Subject's ADEX card is tabbed Category ☐ I ☒ II ☐ III ☐ IV
☒ Subject's activities warrant such tabbing because (state reasons) **of Item #9 above.**
11. ☐ Security Flash Notice (FD-165) to Identification Division:
☐ Submitted See Item #7 - none Placed ☐ Yes ☐ No
(date) **submitted**
12. ☐ Subject is Extremist in Category I of ADEX and Stop Notice has been placed

OM 157-421

Since subject is incarcerated in the Nebraska State Penal and Correctional Complex, Lincoln, Nebraska, for a life sentence and appropriate stops have been placed with penal authorities, this case is being placed in a closed status in the Omaha Division, UACB.

UNITED STATES GOVERNMENT

Memorandum

TO : ACTING DIRECTOR, FBI ~~Confidential~~ DATE: 8/28/72

FROM : SAC, OMAHA (C)

SUBJECT: DAVID LOUIS ANDREW RICE
EM - BPP
OO: OMAHA
BUFILE 157-11449
OM 157-421

EDWARD ALLEN POINDEXTER
EM - BPP
OO: OMAHA
BUFILE 157-15106
OM 157-657

On 7/17/72 the news media in Omaha carried a story indicating that the Nebraska Supreme Court had upheld the decision of the lower courts in the conviction of captioned subjects for the slaying of Officer MINARD of the Omaha Police Department in August, 1970.

On 8/1/72 Court Clerk for the District Court of Nebraska at Omaha advised that the Supreme Court of the State of Nebraska had upheld the District Court's conviction of captioned subjects, and that the subjects were to serve their sentences.

The above is being furnished the Bureau for information, inasmuch as both of these subjects are being carried on the ADEX in Category II.

APPROPRIATE AGENCIES
AND FIELD OFFICES
ADVISED BY ROUTING
SLIP(S) OF

DATE

- 2 - Bureau
- 2 - Omaha

- (1 - 157-421)
- (1 - 157-657)

CRW:saw
(4)

EX-104
REC-65

157-11449-15

AUG 30 1972

EXT. INT. SEC.

~~Confidential~~

SEP 5 1972

UNRECORDED COPY FILED IN

157-15106

UNITED STATES GOVERNMENT

Memorandum

TO : Director, FBI (Bufile 157-11449)

DATE: 7/10/73

FROM : SAC, OMAHA

(157-421) (P)

ADEX card cancelled

SUBJECT: DAVID LEWIS ANDREW RICE

EM - BPP

Reference: Omaha letter to Bureau, 8/28/72

Recommend: ☐ Inclusion in ADEX (summary attached)*
☒ Removal from ADEX (summary attached)*
☐ Changes in ADEX card (specify change only)
* Abstract required.

Name	
Also known as:	Sex <input type="checkbox"/> Male <input type="checkbox"/> Female Race <input type="checkbox"/> White <input type="checkbox"/> Black <input type="checkbox"/> Other Citizenship <input type="checkbox"/> U. S. <input type="checkbox"/> Alien - Specify Country
<input type="checkbox"/> Supplemental page attached. Date of Birth (Month, day, year) Place of Birth Residence Address	Employment Occupation: Firm & Address:
Type of Activity (Check principal activity only) <input type="checkbox"/> (BEX) Black Extremist <input type="checkbox"/> (CMC) Communist (pro-Chinese) <input type="checkbox"/> (CMS) Communist (pro-Soviet) <input type="checkbox"/> (CMT) Communist (Trotskyist) <input type="checkbox"/> (FRN) Foreign Affiliation - Specify Country <input type="checkbox"/> (PRN) Puerto Rican Nationalist <input type="checkbox"/> (REV) Revolutionary <input type="checkbox"/> (MSC) Miscellaneous <input type="checkbox"/> Tab Special Interest <input type="checkbox"/> Espionage <input type="checkbox"/> Foreign Government Employee <input type="checkbox"/> U. S. Government Employee <input type="checkbox"/> Remove Special Interest Tabbing <input type="checkbox"/> Place in Unavailable Section <input type="checkbox"/> Missing <input type="checkbox"/> Out of Country <input type="checkbox"/> Imprisoned <input type="checkbox"/> Remove from Unavailable Section	
Key Facility Data (if applicable) Geographical Reference Number Responsible Agency	

② - Bureau
 1 - Omaha
 RLT:dsa
 (3)

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 8-5-80 BY SP4 JRM/JAR

57 JUL 26 1973

OM 157-421

SUMMARY OF ACTIVITIES OF DAVID LEWIS ANDREW RICE

On 4/18/71 RICE was convicted by a jury at Omaha, Nebraska, of a charge of first degree murder. He was sentenced to life imprisonment at hard labor and is presently incarcerated under that sentence at the Nebraska Penal and Correctional Complex, Lincoln, Nebraska.

Subject was carried as Priority II on the Security Index.

On 1/11/73 a confidential source at the Nebraska Penal and Correctional Complex (NPCC), Lincoln, Nebraska, who has furnished reliable information in the past concerning extremist activities advised that at the present time there are no extremist activities taking place at the NPCC. The source pointed out that DAVID LEWIS ANDREW RICE, who is currently serving a life sentence for the murder of an Omaha police officer in the NPCC has not exhibited nor initiated any extremist activity at that institution.

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI

DATE: 7/11/74

FROM : SAC, OMAHA

SUBJECT: DAVID LOUIS ANDREW RICE

EM - BPP

OO: OMAHA

BUFILE 157-11449

OM 157-421

EDWARD ALLEN POINDEXTER

EM - BPP

OO: OMAHA

BUFILE 157-15106

OM 157-657

Enclosed for the Bureau is the original and five copies of an LHM concerning recent Omaha World Herald newspaper articles concerning the reversal of the conviction of RICE. These articles appeared on July 8, 1974.

Omaha is following this matter and will advise the Bureau of all pertinent details.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8-5-80 BY SP4 JRM-SAR

0-7 - sent OM-action
Reqmiet 7/11/74 to Bu.
Enclosures not received at FBIHQ.
Promptly forward.
JPG/RJA 7/19/74 EX-111

- 2 - Bureau (Enc. 6)
3 - Omaha
(1 - 157-421)
(1 - 157-657)
(1 - 157-887)

LDK: jal

(5)

AUG 1 1974

NW: 152 DocId: 30000880 Page 116

0-7 sent OM-action
Re omiet and LHM 7/11/74.
Page 1, paragraph 2, line 5 should read
"Molom" of the, not whom stated the
Page 1, paragraph 4, line 3 should read
"habas corpus, not habus corpus."
Bureau copies corrected. Correct your
copies accordingly.

JPG/RJA 7/26/74

EXP. PROC.

39 JUL 18 1974

REC-10

15 JUL 18 1974

2cc - CD (ISS - SLU)
2cc - 6189th + D
1cc - SS
JPG/RJA 7/26/74

XEROX
JUL 29 1974

UNRECORDED COPY FILED IN 157-15106



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

Omaha, Nebraska

July 11, 1974

In Reply, Please Refer to
File No.

DAVID LOUIS ANDREW RICE;
EDWARD ALLEN POINDEXTER

The first degree murder conviction of David Louis Andrew Rice of Omaha, Nebraska, in connection with a boobie trap bombing which killed an Omaha Police Officer in 1970 was overturned on July 8, 1974, by United States District Court Judge Warren Urbom, Lincoln, Nebraska. The conviction was overturned based on Urbom's ruling that certain evidence instrumental in Rice's conviction was obtained in an illegal search. The search was conducted pursuant to a search warrant which Urbom ruled did not show evidence of probable cause for the search.

Rice was convicted in the death of Patrolman Larry Minard, Omaha, Nebraska, Police Department. Minard was killed August 17, 1970, as he investigated a vacant house in Omaha's north side after the police received a call from the neighborhood. Urbom ^{ordered} ~~stated~~ the release of Rice from the Nebraska Penal Complex or a new trial without using the illegal obtained evidence.

Nebraska State Assistant Attorney General Mel Kammerlohr stated on July 8, 1974, Urbom's ruling will be appealed to the Eight United States District Court in St. Louis, Missouri. Kammerlohr stated he expects the case to go to the United States Supreme Court inasmuch as the Eight Circuit Court Ruling probably will be appealed by the losing side.

Kammerlohr said Edward Allen Poindexter, who along with Rice, was sentenced to life imprisonment for the slaying of Minard also has a petition for ^{habeas} ~~habeas~~ corpus pending in Federal District Court.

XEROX

1*

JUL 29 1974

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency;

NW: 15202 DocId:70000880 Page 17 not to be distributed outside your agency.

ENCLOSURE

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8-5-80 BY SP4 JPM-JAR

UNITED STATES GOVERNMENT

Memoandum

TO : DIRECTOR, FBI

DATE: 10/31/74

FROM : SAC, OMAHA

SUBJECT: DAVID LOUIS ANDREW RICE
EM - BPP
OM 157-421 (C)

OO: OMAHA
BUFILE: 157-11449

EDWARD ALLEN POINDEXTER
EM - BPP
OM 157-657 (C)

OO: OMAHA
BUFILE: 157-15106

Re Omaha letter to the Bureau, 7/11/74.

Continued contact with SAMUEL COOPER, Assistant Douglas County Attorney, Omaha, Nebraska, who has handled this matter for that office, has determined this matter will not be argued before the Eighth Circuit Court of Appeals, St. Louis, until approximately February, 1975. U. S. District Court Judge WARREN URBOM, Lincoln, Nebraska, has denied bond for RICE during the appeal process.

COOPER advised no matter what the decision of the Eighth Circuit Court, he felt sure the losing side would most definitely appeal to the U. S. Supreme Court.

In view of the above, this matter is being closed in the Omaha Division, and it will be reopened when pertinent information develops which is of importance to the Bureau.

(4) - Bureau (2) - 157-11449 (2) - 157-15106
2 - Omaha (1 - 157-421) (1 - 157-657)

LDK:jan

(6)

NOV 22 1974

NOV 4 1974

FIVE

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8-5-80 BY SP4 JRM-JAR



5010-108-02

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI

DATE: 2/26/76

FROM : SAC, OMAHA

SUBJECT: DAVID LOUIS ANDREW RICE
EM-BPP
OO: OMAHA (C)
BUFILE 157-11449
OM 157-421

EDWARD ALLEN POINDEXTER
EM-BPP
OO: OMAHA (C)
BUFILE 157-15106
OM 157-657

Reference Omaha letter to the Bureau, 10/31/74.

Enclosed for the Bureau are five copies of an LHM re captioned subjects.

Inasmuch as the information contained in the enclosed LHM is from a public news source, no dissemination of the LHM is being made locally. It is to be noted that this information was obtained from an article which appeared in the Omaha World Herald, a daily newspaper published at Omaha, Nebraska, on Wednesday, 2/25/76.

This information is being furnished the Bureau and it is felt that the allegations made in the article regarding the Bureau do not warrant answering, UACB. In view of this, no further action is being taken with regards to the article; however, this matter will be followed and the Bureau will be kept advised.

- 2 - Bureau (Enc. 5) ENCLOSURE
3 - Omaha
(1 - 157-421)
(1 - 157-657)
(1 - 157-403)

CRW:dmr
(5)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8-5-80 BY SP4 JRM-JAR

REC-60

EX-116

1cc-ss

1cc-1ss

2cc-2

17 MAR 1 1976

11- Legal Division
FIVE

three copy and copy of encl filed in 157-15106



OM 157-421
OM 157-657

Both subjects continue to be confined at the Nebraska Penal and Correctional Complex at Lincoln, Nebraska, and have appealed their conviction to the U. S. Supreme Court, as noted in referenced letter.

For further information of the Bureau, on 3/19/75, Assistant Douglas County Attorney SAMUEL COOPER advised that U. S. District Court Judge WARREN URBOM's ruling in the DAVID RICE case, which was RICE's appeal, had been upheld by the Eighth Circuit Court in St. Louis, Missouri. COOPER also stated that the Nebraska Attorney General's Office was preparing a Writ to be presented to the U. S. Supreme Court. If the Supreme Court grants the Writ of Cert., the case would probably be heard sometime after October, 1975.

It is to be noted that in an article appearing in the Omaha World Herald on 2/24/75, the case of DAVID RICE was being argued before the Supreme Court of the United States of America.

The above information is being furnished the Bureau in the event inquiries are received regarding captioned subjects and the allegations which are set out in the enclosed LHM.

As indicated above, the Omaha Division plans to take no further action regarding the contents of the enclosed LHM, unless advised to the contrary by FBIHQ.



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
Omaha, Nebraska

In Reply, Please Refer to
File No.

DAVID LOUIS ANDREW RICE
EXTREMIST MATTER - BLACK PANTHER PARTY

EDWARD ALLEN POINDEXTER
EXTREMIST MATTER - BLACK PANTHER PARTY

On February 25, 1976, the Omaha World Herald, a daily newspaper published at Omaha, Nebraska, carried an article which appeared on page 2 entitled "Supporters Say FBI Framed Omaha Pair". This article was written by Mary Kay Quinlan of the World Herald Bureau of Washington, D. C. This article states the following:

"Washington - Supporters of David L. Rice and Edward Poindexter charged Tuesday that the two Omahans convicted in the 1970 booby-trap bomb slaying of an Omaha police-man were victims of an FBI frame-up.

"The Committee to Free Rice and Poindexter made the charges at a press conference following Supreme Court arguments on the Rice case.

NEBRASKA
"Verax Rice of Omaha, David's mother, attended the press conference and said she believes her son is innocent.

LENNOX HINDS, director of the National Conference of Black Lawyers, NO LOC. which as filed briefs in Rice's defense, said the new charges of 'federal complicity' in Rice's conviction are based on recent congressional disclosures of FBI counter-intelligence activities.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8-5-80 BY SP4 JRM-JAK

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DAVID LOUIS ANDREW RICE
EXTREMIST MATTER - BLACK PANTHER PARTY

EDWARD ALLEN POINDEXTER
EXTREMIST MATTER - BLACK PANTHER PARTY

" 'Not Inconceivable'

"Hinds said 'post-Watergate' investigations show an 'overall scheme' in which it is not 'inconceivable' that dynamite fragments found on Rice's clothes and bomb-making equipment found in his house 'were planted by the police'.

" 'Knowing what we know,' Hinds said, it is clear that 'the police and FBI are capable . . . of planing such evidence.'

"Hinds said the Omaha Black Panther party and the National Committee to Combat Fascism (NCCP), of which Rice and Poindexter were officers, were 'targeted for selective prosecution' by the FBI and local police.

" 'We are finding out ever so slowly the number of individuals that have been targeted' by the FBI's so-called Cointelpro surveillance of dissident groups, Hinds said.

NEBRASKA
"William C. Cunningham, who argued Rice's case before the court, said he believes 'absolutely' that Omaha police and the FBI were in collusion to make Rice look guilty.

" 'The object of Cointelpro was to silence dissident minorities,' Cunningham said.

"Prosecuting Rice and Poindexter for the policeman's murder was a way to get two persons known for their outspoken views against police brutality 'off the streets,' Cunningham said, 'so it makes you kind of wonder' about the possible FBI connection.

DAVID LOUIS ANDREW RICE
EXTREMIST MATTER - BLACK PANTHER PARTY

EDWARD ALLEN POINDEXTER
EXTREMIST MATTER - BLACK PANTHER PARTY

"Cunningham said he couldn't prove the allegations without a new trial for Rice.

"Discovery Proceedings

"With a new trial, Cunningham said, court 'discovery proceedings' would bring to light any information about secret police activities directed against the NCCF.

"If a new trial is not ordered, Cunningham said, the information will be sought in a civil suit.

"He said Rice has argued 'ceaselessly' that he was framed, but that his lawyers at the time of the trial had no reason to believe the FBI's Cointelpro activities even existed, much less to try to get information connecting them with the Rice case.

"Cunningham said it might be hard for some people to believe that the Omaha police would be involved in setting a booby-trapped bomb to kill one of their own officers, but he added that it's possible the Omaha police were unknowingly being used by the FBI.

"Outlook 'Beautiful'

"Mrs. Rice said when she talked to her son last Thursday, she was pleased that his outlook on the case is 'beautiful, just like it's always been.' She said he hasn't 'raised his hopes too high' for a favorable Supreme Court decision, but neither is he depressed.

DAVID LOUIS ANDREW RICE
EXTREMIST MATTER - BLACK PANTHER PARTY

EDWARD ALLEN POINDEXTER
EXTREMIST MATTER - BLACK PANTHER PARTY

NO LOC

"~~Daniel Berrigan~~, the Jesuit priest who has been involved in numerous antiwar and other civil protest activities, also praised Rice at the press conference. ~~Father Berrigan~~ said he has never met Rice but admires his poetry and supports his cause.

"Father Berrigan has been instrumental in fund-raising efforts of the Committee to Free Rice and Poindexter.

"The Rev. James Thomas, pastor of the Calvin Memorial Presbyterian Church in Omaha, said the committee has raised more than \$10,000 for their legal defense."

Both David Louis Andrew Rice and Edward Allen Poindexter were members of the Black Panther Party at Omaha, which organization is now defunct, as well as the National Committee to Combat Fascism, which organization replaced the Black Panther Party when it became defunct, and which organization is also a non-existing organization at Omaha. Both the Black Panther Party and the National Committee to Combat Fascism are characterized in the Appendix Section of this letterhead memorandum.

157-11449-20
CHANGED TO
190-18172-X8

DEC 4 1978
ZLW/BDB

FILE REVIEWED
DATE 2/4/03
INITIALS RV